

Exhibit B

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO,)
et al.,)
)
Plaintiffs,) Civil Action
) No. SA-21-CV-00844-XR
vs.)
)
GREGORY W. ABBOTT, et al.,)
)
)
Defendants.)
)

ORAL DEPOSITION OF

ALAN VERA

FEBRUARY 27, 2023

ORAL DEPOSITION OF ALAN VERA, produced as a witness at the instance of the Plaintiffs, and duly sworn, was taken in the above-styled and numbered cause on February 27, 2023, from 10:00 a.m. to 3:37 p.m., Nilda Codina, Notary in and for the State of Texas, recorded by machine shorthand, from Javier N. Maldonado & Associates, P.C., 1415 North Loop W., Suite 600, Houston, Texas, County of Harris pursuant to the Federal Rules of Civil Procedure, and the provisions stated on the record or attached hereto.

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1	I-N-D-E-X	6
2	PAGE	
3	Appearances.....2	
4	ALAN VERA	
5	Direct Examination by Ms. Perales.....7	
6	Direct Examination by Ms. Holmes.....145	
7	Cross-Examination by Mr. Gore.....160	
8	Proceedings concluded.....166	
9	Reporter's certificate.....167	
10	E-X-H-I-B-I-T-S	
11	PAGE	
12	Exhibit No. 1 Notice of Deposition.....14	
13	Exhibit No. 2 Poll Watcher's Guide.....43	
14	Exhibit No. 3 Email from Christina Adkins.....123	
15	Exhibit No. 4 Texas Poll Watcher Training manual...123	
16	Exhibit No. 5 Redacted First Amendment Privilege...127	
17	Exhibit No. 6 Email(5/19/2021).....131	
18	Exhibit No. 7 Email(8/10/2021).....133	
19	Exhibit No. 8 Email from Donna Campbell.....133	
20	Exhibit No. 9 Email from Paul Bettencourt.....134	
21		
22		
23		
24		
25		

1 I do not represent any parties in this litigation, but
 2 I do represent the witness, Mr. Alan Vera, and I did
 3 have just one confirmation question. I was told that
 4 nobody in this proceeding today is going to audio tape
 5 or video tape what's happening, it's just everybody's
 6 watching by Zoom but they're not actually taping or
 7 tape recording the zoom, other than the court reporter
 8 who is -- is here in the room, is that true?

9 MS. PERALES: My understanding is that
 10 there maybe an audio recording by the court reporter
 11 service for the purpose of ensuring and accurate
 12 transcription, but we agreed in writing prior to this
 13 deposition that we would not video record --

14 MR. TAYLOR: Okay.

15 MS. PERALES: -- the deposition.

16 MR. TAYLOR: And cause I'm the new guy
 17 here, it -- does that include all the participants who
 18 are watching?

19 MS. PERALES: Well, I only speak for
 20 the Lupe plaintiffs, but perhaps we can get an
 21 agreement from counsel on the Zoom that they are not
 22 recording the deposition.

23 MR. TAYLOR: That would be wonderful.

24 MS. PERALES: If you could just put
 25 your agreement in the chat, that would be a big time

1 P-R-O-C-E-D-I-N-G-S
 2 THE REPORTER: Going on the record at
 3 9:37 a.m. And today is February 27th, 2023, and we are
 4 on the record. Did you all want to do the federal read
 5 on, or were you okay with waiving the Rule 30?
 6 MS. PERALES: We'll waive.
 7 THE REPORTER: Okay.
 8 If all counsel and all parties please
 9 state their appearances and who they represent for the
 10 record.
 11 MS. PERALES: Good morning, my name is
 12 Nina Perales and I represent the Lupe Plaintiffs,
 13 L-U-P-E.
 14 MS. HOLMES: Good morning, my name is
 15 Jennifer Holmes and I represent the Haul Plaintiff's,
 16 H-A-U-L.
 17 MR. BIRRING: Good morning, I'm Sameer
 18 Birring and I represent the Harris County Election
 19 Administrator Clifford Tatum, in his official capacity.
 20 MR. WASSDORF: William Wassdorf for
 21 the Attorney General's Office representing State
 22 Defendants.
 23 MR. GORE: Good morning, this is John
 24 Gore. I represent the Intervenor Defendants.
 25 MR. TAYLOR: My name is Andy Taylor.

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 1 saver.
 2 (All Zoom counsel agreed in chat.)
 3 MS. PERALES: Okay. I think we've got
 4 everyone. I can check the chat on the break too.
 5 ALAN VERA,
 6 Having been first duly sworn, was examined and
 7 testified as follows:
 8 MS. PERALES: And let's get our
 9 agreement on the record now, before we get started with
 10 me reintroducing myself to you.
 11 I will agree that an objection from
 12 any one of counsel on the defense side will serve as an
 13 objection for all. Now, under the Federal Rules, it's
 14 a form objections largely are the ones that we're are
 15 going to be having today. And I understand that you
 16 would like to have an agreement that simply saying form
 17 objection is sufficient.
 18 MR. WASSDORF: Correct.
 19 MS. PERALES: And the only thing that
 20 I would ask of you is if I don't understand perhaps
 21 what the form objection might be, I can ask for
 22 clarification.
 23 MR. WASSDORF: Absolutely.
 24 MS. PERALES: And is that the
 25 agreement of -- of counsel on the defense side?

	10		12
<p>1 MR. GORE: Yes.</p> <p>2 MR. WASSDORF: Yes.</p> <p>3 MR. TAYLOR: Yes.</p> <p>4 MS. PERALES: Thank you.</p> <p>5 DIRECT EXAMINATION</p> <p>6 BY MS. PERALES:</p> <p>7 Q. Good morning, Mr. Vera.</p> <p>8 A. Good morning.</p> <p>9 Q. Earlier you heard me introduce myself, I'm</p> <p>10 Nina Perales and I represent a group of plaintiffs</p> <p>11 called the Lupe plaintiffs. Everybody else has</p> <p>12 introduced themselves already, and so I'll just go</p> <p>13 ahead and start asking you some of the preliminary</p> <p>14 questions in this deposition.</p> <p>15 My first question is, have you ever</p> <p>16 been deposed before?</p> <p>17 A. No, I have not.</p> <p>18 Q. All right. So since this is your first</p> <p>19 voyage into a deposition I'm going to go through some</p> <p>20 of the ground rules with you.</p> <p>21 You have just taken an oath to tell</p> <p>22 the truth and that's subject to federal penalties. So</p> <p>23 it's important to answer my questions truthfully,</p> <p>24 accurately, and completely; do you understand?</p> <p>25 A. I do.</p>		<p>1 among ourselves, okay?</p> <p>2 A. Understood.</p> <p>3 Q. So a few instructions related to the fact</p> <p>4 that we have a court reporter here. Generally, in</p> <p>5 conversations sometimes we talk over each other, but</p> <p>6 because the court reporter can only take down one</p> <p>7 speaker at a time, will you agree to let me finish my</p> <p>8 question before you answer, and then I will let you</p> <p>9 finish your answer before I begin my next question?</p> <p>10 A. Agreed.</p> <p>11 Q. Okay. It's also -- you're doing a great job</p> <p>12 by the way of speaking up but my next instruction is to</p> <p>13 please make your answers out loud and audible so the</p> <p>14 court reporter can hear them; is that all right?</p> <p>15 A. Understood.</p> <p>16 Q. Okay. Now, the court reporter cannot take</p> <p>17 down gestures like shrugs or head nods, so will you</p> <p>18 agree to give your answers verbally?</p> <p>19 A. Agreed.</p> <p>20 Q. Now, if you don't understand the question,</p> <p>21 will you please ask me to rephrase it for you?</p> <p>22 A. Agreed.</p> <p>23 Q. Now, I might ask you a question that calls</p> <p>24 for you to give me your best estimate as to something,</p> <p>25 and I'm entitled to your best estimate, but I don't</p>	
<p>1 Q. Now, do you understand that your oath to the</p> <p>2 tell the truth today is the same as if you were</p> <p>3 testifying in front of a judge in the courtroom, in the</p> <p>4 sense that you're oath is to speak the truth?</p> <p>5 A. I understand.</p> <p>6 Q. Okay. Is there anything today that would</p> <p>7 prevent you from giving me your full attention and</p> <p>8 answering truthfully, such as illness or some other</p> <p>9 problem?</p> <p>10 A. I am 74 years old, I will need frequent</p> <p>11 bathroom breaks.</p> <p>12 Q. Got it. And that takes me right to the</p> <p>13 bathroom breaks, which is you are not a hostage here.</p> <p>14 If you need to take a break at any time, you can ask</p> <p>15 for a break we will take a break. The only question I</p> <p>16 have of you, is that if there's a question laying out</p> <p>17 on the table, if you would answer it before we take the</p> <p>18 break; is that all right?</p> <p>19 A. Understood. Understood.</p> <p>20 Q. Okay. Thank you. Now, counsel will make</p> <p>21 objections for the record from time to time and you</p> <p>22 just heard us talking a moment ago about objections,</p> <p>23 and, generally when there is an objection you still go</p> <p>24 ahead and answer; however, if counsel instructs you not</p> <p>25 to answer, please don't answer and we will work it out</p>	11	<p>1 want you to guess; is that all right?</p> <p>2 A. Understood.</p> <p>3 Q. Okay. Thank you. Now, sometimes you might</p> <p>4 remember more to an answer later in the day. Sometimes</p> <p>5 the questions percolate a little bit. So if that's the</p> <p>6 case, and you've remembered something more it's okay to</p> <p>7 tell me at that point and we'll add it to the record</p> <p>8 and then we'll go back to whatever else it is that</p> <p>9 we're discussing; is that all right with you?</p> <p>10 A. Understood.</p> <p>11 Q. Okay. I might use some terms interchangeably</p> <p>12 in today's deposition, I don't know if I will or not,</p> <p>13 but I want to check now to make sure if we have the</p> <p>14 same understanding of the terms. If I use the word</p> <p>15 Hispanic and Latino, will you understand that I mean</p> <p>16 the same thing by those words?</p> <p>17 A. Agreed.</p> <p>18 Q. Okay. I'm going to try not to use jargon,</p> <p>19 but if I use the word ABBM, will you understand that to</p> <p>20 be application for ballot by mail?</p> <p>21 A. Understood.</p> <p>22 Q. Thank you. Do you have any questions about</p> <p>23 the deposition process before we begin?</p> <p>24 A. No, ma'am.</p> <p>25 Q. Thank you. I understand from the</p>	13

<p>1 introduction this morning that you are being 2 represented by Mr. Andy Taylor; is that correct? 3 A. That is correct. 4 Q. Are you also being represented by Mr. John 5 Gore? 6 A. That is not correct. 7 Q. And are you being represented by the Attorney 8 General's Office? 9 A. I am not. 10 Q. When did your representation -- when did 11 Mr. Taylor's representation of you begin, do you know? 12 A. The week after I was subpoenaed. 13 Q. Okay. Do you have any other lawyers that 14 represent you in this matter? 15 A. I do not. 16 Q. Okay. I'm going to ask you some questions 17 about your preparation for the deposition, but I want 18 to let you know that I do not want to know anything 19 that you said to your lawyer or that your lawyer said 20 to you; okay? 21 A. Understood. 22 Q. Can you tell me the steps that you took to 23 prepare for this deposition? 24 A. I received, through my attorney a very large 25 cachet of document that were in discovery and I read</p>	<p>14</p> <p>1 A. They did. 2 Q. And did some of them include members of the 3 legislature? 4 A. One or two did. 5 Q. And did some of them include staff or 6 employees of the Texas Secretary of State? 7 A. Some of them did. 8 Q. Did you meet with anybody in advance of this 9 deposition to prepare? 10 A. I had a Zoom meeting with my attorney for him 11 to brief me on what to expect. 12 Q. Okay. And about how long did that Zoom 13 meeting last? 14 A. There were two sessions, the first one an 15 hour the second one two hours. 16 Q. Okay. Was anybody else on the Zoom besides 17 you and Mr. Taylor? 18 A. Yes, Mr. Jones was. 19 Q. Okay. Would that be Mr. Gore -- 20 A. -- I'm sorry John -- John -- Mr. Gore is -- 21 Q. -- (Laughter.) 22 A. -- Mr. Gore was on the call. 23 Q. Perhaps some day okay. 24 (Exhibit No. 1 marked.) 25 Q. (BY MS. PERALES) Mr. Vera, the court reporter</p>
<p>15</p> <p>1 those. 2 Q. Did you bring any of those documents with you 3 today? 4 A. Did not. 5 Q. Okay. Can you generally remember what it was 6 that you reviewed for the deposition? 7 A. Generally, emails, email attachments, and one 8 or two PowerPoint presentations. 9 Q. And did you understand this to be discovery 10 that the Harris County Republican Party had produced in 11 this litigation? 12 A. I did not. I did not ask questions about the 13 source of the discovery. 14 Q. Were the documents generally related to 15 Harris County Republican Party? 16 A. The documents came in two folders, one of 17 which said Harris County, as in the Government. The 18 other of which said Secretary of State. 19 Q. Okay. And when you -- you mentioned a moment 20 ago emails, do you recall generally who the emails were 21 between? 22 A. That was quite varied, it involved many 23 different people. 24 Q. And did those people include folks with the 25 Harris County Republican Party?</p>	<p>15</p> <p>1 has handed you what has been marked deposition Exhibit 2 No. 1. And from time to time we will mark certain 3 documents and talk about them and the one that you will 4 look at is always going to be the one with the special 5 orange sticker on it and I'll tell you now don't try to 6 leave with the special orange sticker documents or the 7 court reporter will chase you down and try to get them 8 back; okay? 9 A. I understand. 10 Q. Do you recognize this document? 11 A. I do. 12 Q. Okay. Do you recognize it as the notice of 13 deposition seeking your attendance at this deposition 14 today? 15 A. I recognize it as a predecessor to the notice 16 I received today, this one still says 8:30 a.m. and the 17 one I received says 9:30 a.m. 18 (Laughter.) 19 Q. (BY MS. PERALES) you're right, that's my 20 fault. 21 A. Okay. 22 Q. Thank you for spotting that. So with the 23 exception of the time though, are you hear testifying 24 today pursuant to this deposition notice? 25 A. I am.</p>

	18		20
<p>1 Q. Okay. Thank you. I'd like to start with 2 some questions about your background, do you live in 3 Harris County?</p> <p>4 A. I do.</p> <p>5 Q. How long have you lived in Harris County?</p> <p>6 A. Since November of 1980.</p> <p>7 Q. Okay. Are you originally from somewhere not 8 Harris County?</p> <p>9 A. Yes.</p> <p>10 Q. Tell me where you grew up?</p> <p>11 A. El Paso.</p> <p>12 Q. Oh, El Paso. West Texas?</p> <p>13 A. Yes, ma'am.</p> <p>14 Q. Did you go to high school there?</p> <p>15 A. Yes, ma'am.</p> <p>16 Q. Did you complete any education following high 17 school?</p> <p>18 A. I did.</p> <p>19 Q. Okay. And what was that?</p> <p>20 A. I have an undergraduate degree from Loyola 21 University in New Orleans.</p> <p>22 Q. Anything after that?</p> <p>23 A. U.S. Army.</p> <p>24 Q. Okay. When did you serve?</p> <p>25 A. 1970 to 1975.</p>		<p>1 fraternal, or I don't know, maybe you serve on your 2 neighborhood, you know, homeowners association or 3 anything like?</p> <p>4 A. No, we are members of Freedom Street Rescue. 5 We foster abandon puppies.</p> <p>6 Q. I think I would have 20 dogs if I did that.</p> <p>7 A. Last Thursday we had 11.</p> <p>8 Q. 11. And are the -- any of them fosters at 9 this point or have you just --</p> <p>10 A. Seven of those are fosters, they've all 11 arrived at their new homes in New England.</p> <p>12 Q. Wonderful. Any other organizations that you 13 can think of?</p> <p>14 A. None that I can think of.</p> <p>15 Q. Okay. Are you a registered voter in Harris 16 County?</p> <p>17 A. I am.</p> <p>18 Q. Have you ever served as an election judge at 19 the polling place?</p> <p>20 A. Yes, ma'am.</p> <p>21 Q. Okay. Tell me about that, how?</p> <p>22 A. From 2010 to 2013, I served as the alternate 23 presiding judge at Wesley Elementary School in 24 Congressional District 18. I think five, seven 25 elections total.</p>	
<p>1 Q. Tell me about your current occupation, if you 2 have one?</p> <p>3 A. I am semi-retired.</p> <p>4 Q. And what are you semi-retired from?</p> <p>5 A. Marketing consulting.</p> <p>6 Q. Okay. Can you briefly describe for me your 7 current involvement with the Harris County Republican 8 Party?</p> <p>9 A. I am a volunteer. I serve as chairman of the 10 Harris County Republican Party Ballot Security 11 Committee, that is an unpaid unreimbursed position.</p> <p>12 Q. I'm going to circle back to, to more details 13 about the Ballot Security Committee. So I'm just going 14 to put a pin in that and ask if you hold a membership 15 in other political organizations besides Harris County 16 Republicans?</p> <p>17 A. I am on the board of directors of a -- an 18 election integrity organization called Texas Election 19 Network.</p> <p>20 Q. Any other membership in other political 21 organization?</p> <p>22 A. Give me a second. None that I can recall at 23 this time.</p> <p>24 Q. Do you hold membership in any other types of 25 associations besides political organizations; such as a</p>	19	<p>1 Q. Did you serve as a poll worker for any other 2 period of time besides this one?</p> <p>3 A. No ma'am.</p> <p>4 Q. Have you ever served as a poll watcher?</p> <p>5 A. I have.</p> <p>6 Q. Tell me about that?</p> <p>7 A. I served as a poll watcher in several smaller 8 and local elections, usually on the May Uniform 9 Election Day. And I was asked to serve as a poll 10 watcher for the 2015, I believe 2015 Cy-Fair ISD bond 11 election. The first of billion dollar bond election in 12 Texas.</p> <p>13 Q. School bond?</p> <p>14 A. School bond.</p> <p>15 Q. Have you ever been a block walker or 16 sometimes referred to as a canvasser for either a 17 political candidate or for turn out the vote effort?</p> <p>18 A. I believe years ago maybe as many as 10 years 19 ago I assisted my precinct chair to block walk our 20 neighborhood and leave flyers hanging on doorknobs.</p> <p>21 Q. And do you remember what that was in support 22 of, or against?</p> <p>23 A. It was in support of the republican ticket.</p> <p>24 Q. Okay. And did the door hangers then have the 25 names of the candidates that were on the ticket?</p>	21

<p>1 A. If I remember correctly, they did.</p> <p>2 Q. Can you think of any other occasions where</p> <p>3 you were going door to door from house to house for</p> <p>4 either a candidate or some kind of campaign?</p> <p>5 A. No, I can't.</p> <p>6 Q. When you did this effort about 10 years ago</p> <p>7 did you knock on doors and engage with voters?</p> <p>8 A. We knocked on doors, waited for a voter to</p> <p>9 answer, if the voter didn't answer we simply left the</p> <p>10 hanger, if a voter answered we introduced ourselves and</p> <p>11 explained, the candidates for whom we were campaigning.</p> <p>12 Q. So you had the chance to have some</p> <p>13 face-to-face interaction with voters?</p> <p>14 A. Some.</p> <p>15 Q. Other than the -- so let me just ask you, do</p> <p>16 you -- is the phrase that you're most comfortable with</p> <p>17 block walking or canvassing or something else?</p> <p>18 A. In my mind those are two different functions</p> <p>19 block walking is a political activity to gain support</p> <p>20 for candidate or issue in my mind. Canvassing is</p> <p>21 asking questions and getting information.</p> <p>22 Q. Okay.</p> <p>23 A. So in my mind, which is sometimes strange,</p> <p>24 those are two slightly different issue.</p> <p>25 Q. Have you ever done canvassing?</p>	<p>22</p> <p>1 A. Yes.</p> <p>2 Q. -- other types of campaign activity?</p> <p>3 A. I can't recall anything beyond what I've</p> <p>4 already described to you.</p> <p>5 Q. Okay. Do you know if you'll be testifying in</p> <p>6 this case?</p> <p>7 A. I do not know.</p> <p>8 Q. Okay. I'm going to ask you a couple</p> <p>9 questions now about the Ballot Security Committee. You</p> <p>10 mentioned that before you became involved with the</p> <p>11 Ballot Security Committee you were handing out the</p> <p>12 campaign material for the republican ticket and you</p> <p>13 mention that was probably about 10 years ago.</p> <p>14 So tell me whether your involvement</p> <p>15 with the Ballot Security Committee then was at the time</p> <p>16 of the creation of the Ballot Security Committee?</p> <p>17 A. No, ma'am. It was not. Ballot Security</p> <p>18 Committee had been created at least 15 years prior to</p> <p>19 my taking the chairmanship in 2014.</p> <p>20 Q. Okay. If you could for me summarize the --</p> <p>21 are you still chair of the Ballot Security Committee?</p> <p>22 A. I still am.</p> <p>23 Q. And as chair you're familiar with the</p> <p>24 activities of the Ballot Security Committee?</p> <p>25 A. Yes.</p>
<p>23</p> <p>1 A. I have not personally.</p> <p>2 Q. Okay. So besides that block walking effort</p> <p>3 that you described, have you ever worked on the</p> <p>4 campaign of a political candidate or for a political</p> <p>5 issue?</p> <p>6 A. Not since 2014.</p> <p>7 Q. And tell me about that, in 2014 in what way</p> <p>8 did you work on a political campaign --</p> <p>9 A. In 2014 before I came chair of the Harris</p> <p>10 County Republican Party Ballot Security Committee, I</p> <p>11 handed out campaign literature for Dan Patrick.</p> <p>12 Q. And where did you handout the campaign</p> <p>13 literature?</p> <p>14 A. In my neighborhood.</p> <p>15 Q. And you went door to door?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. Is that different from the --</p> <p>18 A. Same thing.</p> <p>19 Q. -- same thing?</p> <p>20 A. Uh-huh.</p> <p>21 Q. Okay. So besides the handing out of the</p> <p>22 campaign material in the block walking effort, have you</p> <p>23 worked on any other campaigns either, maybe making</p> <p>24 phone calls from a central location to urge voters to</p> <p>25 turn out or --</p>	<p>23</p> <p>25</p> <p>1 Q. Can you tell me in a sort of summary fashion,</p> <p>2 the various activities of the Ballot Security</p> <p>3 Committee?</p> <p>4 A. As described in the Republican -- Harris</p> <p>5 County Republican bylaws, Ballot Security is</p> <p>6 responsible for promoting election integrity and in all</p> <p>7 the activities that support that. So that would</p> <p>8 include discipline on voter registration, recruiting</p> <p>9 and training of poll watchers. In prior years we were</p> <p>10 also responsible for recruiting election workers, but</p> <p>11 we have surrendered that in the last two cycles, to the</p> <p>12 Party staff; supporting good election legislation as</p> <p>13 guided by the Executive Committee and testifying when</p> <p>14 possible in support of good election legislation.</p> <p>15 Q. I'm just catching up. You mentioned</p> <p>16 discipline on voter registration, to you mean the voter</p> <p>17 registration conducted by the Harris County Republican</p> <p>18 Party or voter registration in a bigger sense?</p> <p>19 A. Thank you for the clarification. We observe</p> <p>20 and monitor Harris County's voter registration's roles.</p> <p>21 Q. Does the Harris County Republican Party</p> <p>22 conduct voter registration efforts of they own?</p> <p>23 A. I believe they do, but I am not a part of</p> <p>24 that.</p> <p>25 Q. You mentioned in prior years that you used to</p>

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<p>1 recruit election workers, but you had surrendered that 2 to party staff in the last two election cycles; is that 3 right? 4 A. That is correct. 5 Q. And when you say party staff, who -- who is 6 that? 7 A. These are paid employees who work for the 8 Party. 9 Q. And so it's their function now to collect 10 names and submit them to the Harris County elections 11 for vetting for poll workers? 12 A. That is correct. 13 Q. Okay. Tell me how you recruit and train poll 14 watchers? 15 A. The recruiting takes many forms. I am a 16 frequent speaker at political organizations. We run 17 notices for poll watchers in the county party news 18 letter and online. The Ballot Security Committee 19 members are also encouraged to reach out in their 20 neighborhoods and find people in serving as poll 21 watchers. Training poll watchers I do personally, no 22 one else hands that. It is a two hour class in person 23 with a test at the end and except for the 2020 COVID 24 year it has never been an online class. It's always 25 been in person.</p>		<p>1 watchers? 2 A. All over the county, Whenever possible in 3 county owned buildings. We have community centers that 4 the Harris County Government has set up. Whenever 5 possible we conduct the training in those publicly 6 owned centers. 7 Q. So do you bring with you your laptop with the 8 PowerPoint on it? 9 A. I do. 10 Q. Do you have like a little projector? 11 A. A projector is usually provided by the 12 facility, but there have been times that I brought a 13 spare, thank God. 14 Q. And you mention that the guidebook that you 15 provide at no cost, does that mean that you personally 16 make the photo copies? 17 A. In 2022 the County Republican Party paid for 18 the reproduction of the guide books. 19 Q. Okay. And are -- are the trainees allowed to 20 take that guidebook home with them after they're done? 21 A. They take them home with them and encouraged 22 to take them with them to the Polls. 23 Q. Now you mention a test at the end, is that a 24 written test? 25 A. It's not a written test, it's an oral. It's</p>	
<p>1 Q. When was the most recent training that you 2 conducted? 3 A. Most recent training was October of 2022. 4 Q. Okay. 5 A. I did 17 classes that summer into the fall. 6 Q. When you're doing the training in the two 7 hour class, do you use any kind of materials of any 8 sort? 9 A. There are two kinds of materials, there is a 10 PowerPoint presentation which technically belongs to 11 the Harris County Republican Party, I created that for 12 them. And there poll Watcher Guide book which I hand 13 at no charge to every student. 14 Q. You mention the PowerPoint presentation 15 belongs to Harris County, are you the author of the 16 PowerPoint? 17 A. I am. 18 Q. Okay. And the Poll Watcher Guide book, who 19 is the author of that? 20 A. The original one? My wife Colleen. It's 21 been updated after every legislative session because 22 the code changes. 23 Q. And who does the updating? 24 A. I'm -- I do it now, unfortunately. 25 Q. Where do you do the trainings for the poll</p>	27	<p>1 a review. 2 Q. And then is that conducted with the group as 3 a whole? 4 A. It's conducted with the group as a whole. 5 Q. So do people just, you call out the questions 6 and people raise their hands and call the answers? 7 A. Correct, uh-huh. 8 Q. Do you have the test written down in front of 9 you? 10 A. It's on the PowerPoint slides? 11 Q. Okay. And so you just know at the end which 12 questions to call out for people to make sure? 13 A. There are 20 questions, they appear in 14 sequence on the slides. 15 Q. Oh, I see. So there's something at the very 16 end of the PowerPoint that has the questions? 17 A. Correct. 18 Q. Understood. When you update your PowerPoint 19 for a training, do you save the PowerPoints from 20 before? 21 A. I don't remember. I think so, I don't think 22 I delete them from my laptop. 23 Q. Okay. So for example if you wanted to 24 compare what your training looked like before SB 1 and 25 after SB 1 would you be able to go --</p>	29

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<p>1 A. I could do so. Yes, ma'am.</p> <p>2 Q. Okay. Thank you.</p> <p>3 MR. TAYLOR: Mr. Vera, let her</p> <p>4 completely finish her question, you're anticipating it</p> <p>5 ever so slightly.</p> <p>6 THE WITNESS: Thank you. Thank you.</p> <p>7 Q. (BY MS. PERALES) Okay. Next on my list is</p> <p>8 supporting legislation related to election integrity</p> <p>9 and I would like to know what activities fall under</p> <p>10 that topic?</p> <p>11 A. The primary activities that fall under that</p> <p>12 topic is providing our Harris County republican</p> <p>13 representatives with lists of items in the election</p> <p>14 code that need to be addressed, and then testifying in</p> <p>15 the Senate and house committees that are hearing any</p> <p>16 bills written to those lists of suggestions.</p> <p>17 Q. When you provide the lists, do you generally</p> <p>18 prepare that in written form?</p> <p>19 A. It varies. There are some meetings in which</p> <p>20 I have a list typed up and copied, others are simply</p> <p>21 verbal discussions over a cup of coffee.</p> <p>22 Q. You mentioned Harris County legislators?</p> <p>23 A. Republican legislators, sorry.</p> <p>24 Q. Yes, of course. Does that include House and</p> <p>25 Senate?</p>		<p>1 County hosted a luncheon and every one of our Harris</p> <p>2 County Republican State Representatives and Senators</p> <p>3 attended.</p> <p>4 Q. (BY MS. PERALES) Okay. And at that luncheon</p> <p>5 did you engage with anybody -- I'm just trying to get a</p> <p>6 sense of how this works -- did you engage with elected</p> <p>7 officials, at the luncheon about ballot integrity</p> <p>8 legislation?</p> <p>9 A. At the luncheon I had five minutes to discuss</p> <p>10 some of the problems that had not been -- the loopholes</p> <p>11 have not been closed that are causing problems with our</p> <p>12 election workers with the entire group.</p> <p>13 Q. I see, so you were essentially making a</p> <p>14 presentation to them?</p> <p>15 A. Informal presentation, yes.</p> <p>16 Q. But you had the floor?</p> <p>17 A. For five minutes.</p> <p>18 Q. That's good, okay. And when you say</p> <p>19 loopholes that weren't closed, does that mean SB 1?</p> <p>20 A. No, it means in general.</p> <p>21 Q. Okay.</p> <p>22 A. What has been reported by our election</p> <p>23 workers that needs to be addressed.</p> <p>24 Q. Okay. You mentioned the list that -- that</p> <p>25 can be many written form, aside from the list have you</p>	
<p>1 A. Yes, ma'am.</p> <p>2 Q. Okay.</p> <p>3 MS. PERALES: I'm sorry, should we</p> <p>4 take a break?</p> <p>5 MR. TAYLOR: No, no, no, I was just</p> <p>6 making a point -- nothing about what you all are doing.</p> <p>7 MS. PERALES: Sorry. Just let me know</p> <p>8 if you're going to need a break.</p> <p>9 Q. (BY MS. PERALES) And we were talking about</p> <p>10 Harris County Republican, let's start with members of</p> <p>11 the House. With whom have you met who is currently in</p> <p>12 the House or with whom have you communicated who's</p> <p>13 currently in the House about goals for ballot integrity</p> <p>14 legislation?</p> <p>15 MR. TAYLOR: Let me just hop in for a</p> <p>16 quick second. My job here is just to protect</p> <p>17 attorney-client privilege and that's it. But if you're</p> <p>18 going to ask questions that might be involved with</p> <p>19 legislative privilege or something like that, I -- I'm</p> <p>20 going to defer to the other lawyers who represent other</p> <p>21 parties, I just want to make that clear.</p> <p>22 MS. PERALES: Understood.</p> <p>23 MR. TAYLOR: Okay.</p> <p>24 A. It -- it varies by session. In preparation</p> <p>25 for the current session, the Republican Party of Harris</p>	31	<p>1 ever written something more detailed about a proposal</p> <p>2 that you wanted a legislator to consider. So for</p> <p>3 example, have you ever taken a stab at maybe drafting a</p> <p>4 provision that you would want to see?</p> <p>5 MR. WASSDORF: I'm going to object to</p> <p>6 the extent that this could get into any responses to</p> <p>7 legislative inquiries on the grounds of legislative</p> <p>8 privilege.</p> <p>9 Q. (BY MS. PERALES) You may answer.</p> <p>10 A. Not until this year for the current session.</p> <p>11 I was asked to join a task force of grass roots</p> <p>12 activist to examine and work on the concerns about</p> <p>13 ERIC, E-R-I-C, electronic registration information</p> <p>14 center. We studied it, interviewed people across the</p> <p>15 country for seven months and I was asked to draft a</p> <p>16 possible bill that would open the ERIC functions put</p> <p>17 broader range of solutions. It's the first time I've</p> <p>18 done that.</p> <p>19 Q. Uh-huh.</p> <p>20 A. That has been -- I did not submit it, it was</p> <p>21 submitted by our task force leader and it has become a</p> <p>22 bill in the current legislature.</p> <p>23 Q. In the current Texas Legislature?</p> <p>24 A. Current Texas -- the 88th Legislative</p> <p>25 session.</p>	33

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<p>1 Q. And the task force that you were on was it a 2 Texas only task force? 3 A. Texas only task force. 4 Q. Okay. So prior to working on drafting 5 legislation, this -- for this 88th regular session, in 6 the past if you had a proposal that you wanted to see 7 enacted, how much detail would you put into writing it 8 down?</p> <p>9 A. I understand. Again, with acknowledging the 10 objection, in between the first and second special 11 sessions of the 87th legislature I sent an email with 12 two sentences to the legal counsel of our senator 13 asking that they consider adding these two sentences to 14 Senate bill one for is second special session. They 15 studied it, liked it, recommended it and it was added 16 to Senate bill one.</p> <p>17 Q. And when you say our senator, do you mean 18 Senator Bettencourt?</p> <p>19 A. I do.</p> <p>20 Q. Okay. And then do you remember what the two 21 sentences were on?</p> <p>22 A. Yes. The two sentences involved requiring 23 the every county in Texas to reconcile the number of 24 ballots with the number of voters after every election.</p> <p>25 Q. Do you remember the name of Senator</p>		<p>1 A. I don't know. 2 Q. Okay. Okay. Now, I think last on my list is 3 testifying when possible in the legislature, do you 4 recall testifying in the do you recall testifying on SB 5 1 at all?</p> <p>6 A. I do.</p> <p>7 Q. Okay. And do you recall testifying on SB 1 8 in the second special?</p> <p>9 A. I do.</p> <p>10 Q. Okay. I remember being in a committee 11 hearing and you and I were both there and you were 12 testifying, I can't remember for sure if it was the 13 second special. But I -- I remember your testimony, do 14 you -- would you, for example in the second special 15 provide both written and verbal testimony?</p> <p>16 A. Rarely.</p> <p>17 Q. Okay.</p> <p>18 A. Rarely. Occasionally I will bring exhibits 19 to supplement my verbal testimony. I rarely provide 20 written testimony.</p> <p>21 Q. Okay. Do you recall whether you provided any 22 written testimony on SB 1 or its predecessor's bills 23 HB 6, SB 7?</p> <p>24 A. I don't think I did provide written 25 testimony. I think it was all verbal.</p>	
<p>1 Bettencourt's I guess general council?</p> <p>2 A. I do.</p> <p>3 Q. Tell me what that is. That -- by the way, 4 that was very good, whoever prepared you for this 5 deposition is -- did a great job.</p> <p>6 A. Sonya Aston.</p> <p>7 Q. And did you send the two sentences to 8 Ms. Aston by email?</p> <p>9 A. By email.</p> <p>10 Q. Okay. And did she then respond to you?</p> <p>11 A. She respond and said I'll see what I can do.</p> <p>12 Q. Okay. Then how did you know -- how did you 13 come to learn that it was well taken and then going to 14 be put in the Bill?</p> <p>15 A. Well, as you know in Texas Legislature every 16 special session, every bill has to be re-filed. So 17 when Senate bill was re-filed for the second special 18 session my two sentences were there.</p> <p>19 Q. Do you think you would still have that email 20 to Ms. Aston if your email history somewhere?</p> <p>21 A. I don't think so, it's been well over a year.</p> <p>22 Q. Okay. What email service do you use?</p> <p>23 A. Outlook.</p> <p>24 Q. Outlook. Do you know if outlook keeps your 25 older emails?</p>	35	<p>1 Q. Do you go up with like index cards or a piece 2 of paper?</p> <p>3 A. I type up every work I'm going to say and 4 I've timed it out for two minutes in the Senate and 5 three minutes in the House.</p> <p>6 Q. And you take those notes back with you?</p> <p>7 A. I do.</p> <p>8 Q. Okay. I noticed when I -- I went to the 9 Harris County Republican Party website that there was a 10 link that -- that one could click on to get involved or 11 volunteer with the Party and it allowed me to put my 12 name and my VYD information if I wanted to serve as an 13 election worker; are you aware of that part of the 14 website?</p> <p>15 A. I am aware.</p> <p>16 Q. Do you know if those pages or the information 17 that's gathered there is used also to recruit poll 18 watchers?</p> <p>19 A. I don't deal with that information, but I 20 think it's not impossible that once the party contacts 21 the person who left their name they could add poll 22 watching as an option of volunteer activity.</p> <p>23 Q. How do you get the names of potential poll 24 watchers?</p> <p>25 A. I get them from the county party.</p>	37

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<p>1 Q. Okay. So the paid staff?</p> <p>2 A. Uh-huh.</p> <p>3 Q. All right. And who is responsible for</p> <p>4 getting those individuals to a training that you would</p> <p>5 give?</p> <p>6 A. The paid staff.</p> <p>7 Q. Okay. So you don't have to be chasing people</p> <p>8 down telling them, it's at Saturday at 10 a.m.</p> <p>9 A. Not anymore.</p> <p>10 Q. Okay. Okay. When I'm quiet I'm crossing off</p> <p>11 questions, so it's a good thing. I'm already on page</p> <p>12 6, we're just zipping right along here.</p> <p>13 MR. TAYLOR: You left out a key fact,</p> <p>14 what's the last page number?</p> <p>15 (Laughter.)</p> <p>16 MS. PERALES: Well, it's not six,</p> <p>17 but -- but we're actually making really -- I think our</p> <p>18 conversation, so it touched on several different</p> <p>19 things, so I'm catching up with myself and crossing off</p> <p>20 the questions.</p> <p>21 THE WITNESS: While you're doing that,</p> <p>22 can we take a break?</p> <p>23 MS. PERALES: Of course.</p> <p>24 THE WITNESS: Thank you.</p> <p>25 MS. PERALES: Let's take a five minute</p>		<p>1 the witness not to answer anything about the substance</p> <p>2 of the training.</p> <p>3 (BY MS. PERALES:) And Mr. Vera, are you going</p> <p>4 to follow counsel's advice and not testify about the</p> <p>5 substance of the poll watcher training?</p> <p>6 A. I am.</p> <p>7 Q. Okay. And you did that very elegantly, I --</p> <p>8 I mentioned previously that so times your Counsel will</p> <p>9 direct you not to answer and we will then work on that</p> <p>10 at another time.</p> <p>11 You mentioned that your poll watcher</p> <p>12 training did not change significantly, but would it be</p> <p>13 fair to say that your poll watcher training did change</p> <p>14 in some respect from the pre-SB 1 period to the post SB</p> <p>15 1 period?</p> <p>16 A. Yes.</p> <p>17 Q. Aside from the training that you give poll</p> <p>18 watchers, do you also receive communications from poll</p> <p>19 watchers while election day is going on?</p> <p>20 A. I do.</p> <p>21 Q. Okay. And generally how do you receive those</p> <p>22 communications?</p> <p>23 A. By text or email.</p> <p>24 Q. Have you ever had a poll watcher call you on</p> <p>25 your cell phone during election day to ask for you</p>	
<p>1 break.</p> <p>2 THE REPORTER: Okay. Going off the</p> <p>3 record at 10:29 a.m.</p> <p>4 (Off the record.)</p> <p>5 THE REPORTER: Going back on the</p> <p>6 record at 10:42 a.m.</p> <p>7 (BY MS. PERALES:) Okay. Mr. Vera, I am going</p> <p>8 to ask you some more specific questions about poll</p> <p>9 watchers and your training of the poll watchers</p> <p>10 comparing the before SB 1 to the after SB 1 period of</p> <p>11 time, okay?</p> <p>12 So did your training change at all for</p> <p>13 poll watchers with respect to what they could do in the</p> <p>14 polling place while voting is happening?</p> <p>15 A. It did not change significantly. The two</p> <p>16 greatest changes.</p> <p>17 MR. GORE: Let me -- let me just</p> <p>18 interject here an objection. We've allowed some</p> <p>19 latitude on the poll watcher training and I'm fine you</p> <p>20 confirming there were changes to the training.</p> <p>21 Anything about the substance of the training, the</p> <p>22 Harris County Republican Party has asserted a First</p> <p>23 Amendment right to confidentiality and First Amendment</p> <p>24 privilege not to disclose the substance of the</p> <p>25 training. So I'm going to ask the witness or instruct</p>	39	<p>1 guidance or advice?</p> <p>2 A. Yes.</p> <p>3 Q. So then would it be fair to say you</p> <p>4 communicate with poll watchers by text, email, and</p> <p>5 telephone?</p> <p>6 A. Yes.</p> <p>7 Q. And in these communications, would it be fair</p> <p>8 to say that they're asking for your guidance about what</p> <p>9 to do in a particular situation?</p> <p>10 A. Frequently.</p> <p>11 Q. Okay. And do you then provide that guidance</p> <p>12 to them based on your understanding of SB 1 and other</p> <p>13 parts of the election code that deal with poll</p> <p>14 watchers?</p> <p>15 A. That is correct.</p> <p>16 Q. You mentioned the training manual that you</p> <p>17 encouraged, that you've created that you encourage the</p> <p>18 poll watchers to bring with them to the polling place</p> <p>19 on election day; is that correct?</p> <p>20 A. I mentioned it, yes.</p> <p>21 Q. Okay. Can you tell me approximately how many</p> <p>22 pages long it is?</p> <p>23 A. It is a graded booklet where there are tabs</p> <p>24 available to you. I'm going to guess it is a total of</p> <p>25 18 pages folded and collated and cut very uniquely.</p>	41

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<p>1 Q. Does each page contain approximately 250 2 words?</p> <p>3 A. No. It's a tiered appearance so that there's 4 a tab on what the content is. So there's a tab that 5 says ID, and they flip it up in that opened is all the 6 informing on ID.</p> <p>7 Q. Okay.</p> <p>8 A. So -- and on the back are the actual 9 citations from the election code that relate to the 10 issues on the opposite sides of the page. So 18 pages, 11 but they're not same size.</p> <p>12 Q. Okay. So if I took the words from your 13 manual and I put them in let's say a word processing 14 document, about how many pages long would it be?</p> <p>15 A. I don't know.</p> <p>16 Q. Would it be more than 18?</p> <p>17 A. No --</p> <p>18 Q. I'm trying to figure out --</p> <p>19 A. What font size?</p> <p>20 (Laughter.)</p> <p>21 Q. (BY MS. PERALES) 12.</p> <p>22 A. Yes, then be more than 18 because the font 23 side I have to use for the code is much smaller to fit 24 all the relevant code.</p> <p>25 Q. Okay. Okay. Would it be fair to say that</p>		<p>1 Harris County Republican Party has asserted a First 2 Amendment Privilege. I think you can answer yes or no 3 to the question, but instruct the witness not to 4 provide any discussion of the substance of any such 5 differences.</p> <p>6 A. You're supposed to ask me, will I follow 7 counsel, yes.</p> <p>8 (Laughter.)</p> <p>9 Q. (BY MS. PERALES) Are you following your 10 counsel's advice?</p> <p>11 A. I am following the counsel's advice.</p> <p>12 Q. All right. So your counsel said don't give 13 substantive, but he's allowed you to answer yes or no.</p> <p>14 So is the answer to then yes or no to 15 my question whether there are substantive differences 16 between your guide and the secretary of state's guide?</p> <p>17 A. Let me ask you to clarify for me which 18 secretary of state Poll Watcher Guide you're referring 19 to, because there are many iterations.</p> <p>20 MR. TAYLOR: And Nina, just to clarify 21 you already know this, but Mr. Gore is not Alan Vera's 22 personal counsel. You're saying your lawyer this, 23 "your lawyer that. That's actually me, Andy Taylor, 24 but Mr. Gore represents Harris County Republican Party, 25 and that's why he rather than me is asserting this</p>	
<p>1 your Poll Watcher Guide is different from the Poll 2 Watcher Guide published by the secretary of state?</p> <p>3 A. It is. It is in format.</p> <p>4 Q. Okay.</p> <p>5 A. It's much more usable.</p> <p>6 Q. Okay.</p> <p>7 A. It is a flip chart as opposed to a PDF, you 8 know, like several 100 pages long.</p> <p>9 Q. Would you say that there are -- well, so 10 your's is much shorter, so it doesn't contain 11 everything from the secretary of state's guide?</p> <p>12 A. Uh-huh.</p> <p>13 Q. Would you say that there are substantive 14 differences between your guide and the secretary of 15 state?</p> <p>16 A. There's no content difference, mine is more 17 compact.</p> <p>18 Q. So for example, do you -- would you maybe be, 19 your guide by different from the secretary state's 20 guide if it offered examples that might be different 21 from those of the secretary of state. You see what I'm 22 getting at, whether they're --</p> <p>23 A. I understand --</p> <p>24 MR. GORE: And let me just renew the 25 objection, because again this is an area where the</p>	43	<p>1 First Amendment Privilege because I'm not representing 2 the Republican Party in this litigation. So just that 3 -- just to keep things straight.</p> <p>4 MS. PERALES: Thank you for that 5 clarification.</p> <p>6 Q. (BY MS. PERALES:) So Mr. Vera when you 7 decline to answer based on Mr. Gore's instruction, you 8 are declining to answer based on the instruction of a 9 lawyer who is not your lawyer, but who is the lawyer 10 for the Harris County Republican Party?</p> <p>11 A. That is correct.</p> <p>12 Q. Thank you. And to clarify my question I'm 13 going to mark, although I only have one copy. A 14 January 2022 publication by the secretary of state's 15 Elections Division titled Poll Watchers Guide. We will 16 mark that deposition Exhibit No. 2.</p> <p>17 (Exhibit No. 2 marked.)</p> <p>18 Q. (BY MS. PERALES:) Take a moment if you will 19 to take a look at the document?</p> <p>20 A. Even they had a change for SB 1. Thank you 21 for letting me see that. The combination of the 22 PowerPoint and the Guide that they carry with them, is 23 very similar to this booklet, combined.</p> <p>24 Q. Okay. So let me ask you a few questions, 25 with respect to Exhibit 2, had you ever seen that</p>	45

<p>1 version of the document before I gave it to you today?</p> <p>2 A. Online. I reviewed it online, but not hard</p> <p>3 copy.</p> <p>4 Q. Okay. So when I make reference to the</p> <p>5 secretary of state's Poll Watcher Guide, will you</p> <p>6 understand that I'm referring to the January 2022</p> <p>7 version?</p> <p>8 A. I do, yes.</p> <p>9 Q. Okay. Now, let me go back to my earlier</p> <p>10 question, which is that the -- your guide, which you've</p> <p>11 described as 18 pages, would you agree with me that</p> <p>12 there are substantive differences between your guide</p> <p>13 and Exhibit 2?</p> <p>14 A. That is a difficult question to answer</p> <p>15 because --</p> <p>16 MR. GORE: Again, I'm just going to</p> <p>17 renew the objection and instruct the witness that he</p> <p>18 may answer to the extent that doing so does not reveal</p> <p>19 the substantive content of his guidebook which -- over</p> <p>20 which Harris County Republican Party has asserted a</p> <p>21 First Amendment Privilege.</p> <p>22 A. The combination of the PowerPoint</p> <p>23 presentation and the guide is substantively the same as</p> <p>24 what's in here, combined.</p> <p>25 Q. (BY MS. PERALES:) I understand. So if</p>	<p>46</p> <p>1 Q. You mean like pictures?</p> <p>2 A. Yes.</p> <p>3 Q. I see, okay. Let's talk about the PowerPoint</p> <p>4 again and the -- and your -- your Poll Watcher Guide.</p> <p>5 With respect to the guide which your trainees take home</p> <p>6 with them; is that correct?</p> <p>7 A. Uh-huh, that is correct.</p> <p>8 Q. Can you estimate how many copies of your</p> <p>9 guide either in the current version or in past versions</p> <p>10 are circulating in the world?</p> <p>11 A. I know that Harris County Republican Party</p> <p>12 printed 5,000 of them for our use here in Harris</p> <p>13 County, so that's the ones I know about.</p> <p>14 Q. And you when you say printed 5,000, you mean</p> <p>15 just for the November 2022 election?</p> <p>16 A. For the primary election, primary runoff, and</p> <p>17 the November election.</p> <p>18 Q. Okay. So since January of 2022?</p> <p>19 A. That's correct, because SB 1 went into affect</p> <p>20 December of 2021.</p> <p>21 Q. And were the Poll Watcher Guides printed by</p> <p>22 the Republican Party only physically distributed by you</p> <p>23 or were they distributed by other folks as well?</p> <p>24 A. Only by me in my classes.</p> <p>25 Q. And how many have you distributed?</p>
<p>47</p> <p>1 combined you -- you believe they're substantively the</p> <p>2 same. Would it then be correct that your guide by</p> <p>3 itself is not substantively the same as the secretary</p> <p>4 of state's guide?</p> <p>5 A. My guide is focused on the questions and</p> <p>6 issues the poll watcher confronts at the polling place</p> <p>7 itself, not the background of how poll watchers are</p> <p>8 appointed et cetera, that's in class.</p> <p>9 Q. And so would the answer to my question then</p> <p>10 be yes?</p> <p>11 A. The answer is, it is not substantively</p> <p>12 different in content from those portions of this</p> <p>13 document that address the activity at the polling</p> <p>14 place.</p> <p>15 Q. Is it your contention then that your guide</p> <p>16 contains every piece of matter that the secretary of</p> <p>17 state's guide contains with respect to poll watcher</p> <p>18 behavior in the, or activities in the poll place --</p> <p>19 A. It does. It does, on the activity at the</p> <p>20 polling place, yes, they're very consistent.</p> <p>21 Q. Did you copy and paste out of the secretary</p> <p>22 of state guide?</p> <p>23 A. I did not.</p> <p>24 Q. Okay.</p> <p>25 A. I use illustrations.</p>	<p>47</p> <p>1 A. Probably 1,000.</p> <p>2 Q. Okay. And do you know where those copies are</p> <p>3 today?</p> <p>4 A. Yes. Oh, the ones I distributed?</p> <p>5 Q. Yes.</p> <p>6 A. I do not. They're -- they're in the</p> <p>7 possession of the poll Watchers, as far as I know.</p> <p>8 Q. Have you ever printed your PowerPoint and</p> <p>9 given that to anybody?</p> <p>10 A. No, ma'am.</p> <p>11 Q. Would you say that with respect to the</p> <p>12 approximately 1,000 Poll Watcher Guides that you</p> <p>13 prepared, that there is a possibility that at this</p> <p>14 point some of those guides have made their way to other</p> <p>15 individuals who maybe weren't the original recipients?</p> <p>16 MR. TAYLOR: Objection to form.</p> <p>17 A. I have no idea.</p> <p>18 Q. (BY MS. PERALES:) Do you think that it's</p> <p>19 possible that some of your guides maybe in circulation</p> <p>20 beyond the original recipients?</p> <p>21 MR. TAYLOR: Objection to form.</p> <p>22 A. I have no idea.</p> <p>23 Q. (BY MS. PERALES.) If a general member of the</p> <p>24 public asked you for your guide, let's say a friend of</p> <p>25 one of your trainees comes at the end of the training</p>

	<p>50 1 A. That is correct.</p> <p>2 Q. Are you aware that SB 1 has now allowed the</p> <p>3 appointing authority that believes a watcher was</p> <p>4 unlawfully prevented or obstructed from the performance</p> <p>5 of the watcher's duties to seek relief in court?</p> <p>6 A. I am aware.</p> <p>7 Q. Are you aware of any changes in activity of</p> <p>8 the Harris County Republican Party with respect to</p> <p>9 being able to take court action when you believe one of</p> <p>10 your watchers is being unlawfully prevented or</p> <p>11 obstructed?</p> <p>12 MR. GORE: So I'm going to object on</p> <p>13 First Amendment privilege grounds to the extent the</p> <p>14 question calls for actions that are not public or</p> <p>15 communications that are not public and that are</p> <p>16 internal only to the Harris County Republican Party, to</p> <p>17 the extent there's anything public out there the</p> <p>18 witness can testify, but with respect to anything not</p> <p>19 public, I instruct the witness not to answer.</p> <p>20 Q. (BY MS. PERALES:) Mr. Vera, are you going to</p> <p>21 follow Mr. Gore's instruction?</p> <p>22 A. I am.</p> <p>23 Q. Can you answer the question with respect to</p> <p>24 public information only?</p> <p>25 A. I am not aware at this time of any public</p>
<p>51 1 poll watchers may have changed or didn't change based</p> <p>2 on the enactment of that part of SB 1 that says "Poll</p> <p>3 watchers may not be denied free movement where election</p> <p>4 activity is occurring within the location at which the</p> <p>5 watcher is serving?</p> <p>6 MR. GORE: Objection, First Amendment</p> <p>7 Privilege, instruct the witness not to answer.</p> <p>8 Q. (BY MS. PERALES) And will you follow the</p> <p>9 instruction of Mr. Gore not to answer?</p> <p>10 A. I will.</p> <p>11 Q. Did your training of poll watchers change</p> <p>12 following enactment of that portion of SB 1 that</p> <p>13 prohibits an election official from taking any action</p> <p>14 to obstruct the view of a watcher or distance the</p> <p>15 watcher from the activity or procedure to be observed</p> <p>16 in a manner that would make observation not reasonably</p> <p>17 effective?</p> <p>18 MR. GORE: Objection, First Amendment</p> <p>19 privilege, instruct the witness not to answer.</p> <p>20 Q. (BY MS. PERALES:) Were you -- are you</p> <p>21 following Mr. Gore's instruction?</p> <p>22 A. I am.</p> <p>23 Q. Are you aware that -- well, Harris County</p> <p>24 Republican Party is the appointing authority for its</p> <p>25 watchers; is that correct?</p>	<p>51 1 statement or intent from the Harris County Republican</p> <p>2 Party to seek court action with regard to a poll</p> <p>3 watcher.</p> <p>4 Q. Without telling me any substance, are you</p> <p>5 aware of any private communication regarding that?</p> <p>6 A. No.</p> <p>7 Q. Can you tell me what "Free Movement of Poll</p> <p>8 Watchers," means to you?</p> <p>9 A. Free Movement of poll Watchers," means that</p> <p>10 with the exception of a voter voting by themselves at</p> <p>11 the voting booth, the poll watcher is free to move</p> <p>12 around the polling place to observe all other election</p> <p>13 activity. The voting booth is off limits if the voter</p> <p>14 is by himself of herself, or if the voter is being</p> <p>15 assisted by an assistant the voter brought with them.</p> <p>16 Q. How far from the voter should a watcher stand</p> <p>17 to respect that off-limits area you described?</p> <p>18 A. It's not specified in statute, but they</p> <p>19 should not be close enough to see the ballot or hear</p> <p>20 the voter's discussion with the assistant.</p> <p>21 Q. If the watcher isn't looking at the ballot,</p> <p>22 how close can the watcher stand?</p> <p>23 A. If the voter is being assisted by an election</p> <p>24 worker who is working that polling location, the poll</p> <p>25 watcher can be right there at the voting booth, and SB</p>

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<p>1 1 says can even inspect the ballot. That's not true 2 when the voter's being assisted by their own chosen 3 assistant.</p> <p>4 Q. So how -- you know if a watcher asks you how 5 close can I be in order to perform that function and 6 you say being right there, how close is right there in 7 a numerical sense?</p> <p>8 A. We are still referring to a voter being 9 assisted by an election worker, I've told the poll 10 watchers they can be right there at the polling booth 11 to be able to see every action made by the election 12 worker and hear every instruction given by the voter to 13 the election worker, close enough to see and hear.</p> <p>14 Q. Okay. And how far is that in terms of 15 distance?</p> <p>16 A. It depends how good the poll watchers vision 17 and hearing is.</p> <p>18 Q. Okay. So let's say it's not great, but the 19 poll watcher still capable of seeing and hearing, if 20 the poll watcher says can I stand one foot from the 21 voter, would you say that's okay?</p> <p>22 A. I would tell the voter poll watcher if you 23 need to stand one foot from the voter to see and hear 24 everything, yes. Do not make contact with the voter or 25 the election worker.</p>		<p>1 A. Executing the instructions.</p> <p>2 Q. -- by making the preference selections on the 3 ballot?</p> <p>4 A. That is correct.</p> <p>5 Q. What actions by an election official would 6 obstruct the view of a watcher that would make the 7 observation not reasonably effective when it came to 8 voting?</p> <p>9 A. Are you referring to the actual preparation 10 of the ballots or other examples in the polling place?</p> <p>11 Q. The preparation of the ballot.</p> <p>12 A. Then the election, one offense the election 13 worker could take would be to constantly move his body 14 to block the poll watcher's vision of the ballot 15 preparation.</p> <p>16 Q. Now, with respect to not preparation of the 17 ballot, but other activities -- interacting with voters 18 in the polling place, what action could an election 19 worker take that would obstruct the view of a watcher 20 in a manner that would make observation not reasonably 21 effective?</p> <p>22 A. At the voter check-in table, the poll watcher 23 has to be able to hear everything said between the 24 voter and the election worker and to see the 25 information that's coming up on the screen as the voter</p>	
<p>1 Q. You mean physical contact?</p> <p>2 A. Correct.</p> <p>3 Q. And so you mention a moment ago, with respect 4 to a voter being assisted by a poll worker, that the 5 watcher now has the ability to inspect the ballot; do 6 you recall that testimony?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And do you understand that to be 9 inspect the ballot as it's being voted?</p> <p>10 A. The language in the code of SB 1 states that 11 the voter, that the poll worker may observe the 12 preparation of the ballot, does not say anything beyond 13 that. So what I have told my poll watchers in class 14 is, if you think you need to you can see that the 15 election worker who is assisting the voter is carrying 16 out the voter's instructions in preparing the ballot.</p> <p>17 Q. And that means for example being able to see 18 the poll worker make selection of candidate preference?</p> <p>19 A. As instructed by the voter, correct. The key 20 issue counselor is, is the assistant carrying out the 21 expressed instructions of the voter, that's it.</p> <p>22 Q. And so the watcher then, you would advise can 23 stand close enough to see and hear not only the voters 24 instructions to the poll worker, but then the poll 25 worker --</p>	55	<p>1 checks in.</p> <p>2 So if the election worker, by shifting 3 his body to block the screen or making the table so 4 close to the wall the poll watcher can't stand there, 5 those are things that the election workers could do 6 that would prohibit the -- the poll watcher from being 7 able to see and hear all the transactions.</p> <p>8 Q. Okay. Describe for me actions by a poll 9 worker that would distance the watcher from the 10 activity or procedure to be observed in a manner that 11 would make observation not reasonably effective with 12 respect to activities that involve the voter?</p> <p>13 A. The most blatant example of that is an 14 election judge, the presiding judge of a polling place 15 telling the voter they cannot move any closer than this 16 distance.</p> <p>17 Q. Or telling the watcher?</p> <p>18 A. Right, telling the watcher they cannot be any 19 closer than this distance.</p> <p>20 Q. Okay. So for example saying you can't get 21 closer than three feet to the poll worker assisting the 22 voter and casting the ballot?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. Is it within the scope of what a poll 25 watcher can do to write down the names of voters as</p>	57

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<p>1 they check in to vote?</p> <p>2 A. That is not normally within the scope of the</p> <p>3 poll watcher's activity.</p> <p>4 Q. Would you consider it prohibited?</p> <p>5 A. It's not specifically prohibited in statute.</p> <p>6 When I'm asked that question I tell my students --</p> <p>7 MR. GORE: -- I'm just going to again</p> <p>8 interject the objection and instruct the witness not to</p> <p>9 divulge what he tells his students during training on</p> <p>10 First Amendment grounds.</p> <p>11 Q. (BY MS. PERALES:) And are you going to follow</p> <p>12 Mr. Gore's instructions?</p> <p>13 A. I am.</p> <p>14 Q. Uh-huh, let me see if I can find another way</p> <p>15 to, got this. If I were to ask you whether you would</p> <p>16 advise me to refrain from writing down the names of</p> <p>17 voters as they check in, would you advise me to refrain</p> <p>18 from doing that?</p> <p>19 A. Mr. Gore?</p> <p>20 MR. GORE: I understand the question</p> <p>21 to be a hypothetical about Ms. Perales.</p> <p>22 MS. PERALES: And -- and I don't live</p> <p>23 in Harris County, so.</p> <p>24 A. I would advise the poll watcher to refrain</p> <p>25 from writing down the voter's names.</p>		<p>1 typically an activity that is in support of multiple</p> <p>2 Republican candidates at the same time or something</p> <p>3 different?</p> <p>4 A. I think it is a mixture. If it is a block</p> <p>5 walking activity before a general election, it's</p> <p>6 usually multiple candidates. If it's before a specific</p> <p>7 school board election it maybe for only one or two</p> <p>8 candidates.</p> <p>9 Q. Do you know generally what block walkers do</p> <p>10 when they're block walking?</p> <p>11 A. Only from what they've told me.</p> <p>12 Q. Okay. Tell me what you know from what</p> <p>13 they've told you?</p> <p>14 A. They work from a list, either in paper or on</p> <p>15 the phone, they knock on the door, they know the</p> <p>16 person's name ahead of time, and they follow a script</p> <p>17 on how to engage the voter with the message being</p> <p>18 delivered.</p> <p>19 Q. Okay. Do you know the source of the lists of</p> <p>20 voters?</p> <p>21 A. I do not.</p> <p>22 Q. Do you know if block walkers know when</p> <p>23 they're knocking on the door, if the voter is over age</p> <p>24 65?</p> <p>25 A. I do not know that.</p>	
<p>1 Q. (BY MS. PERALES) Okay. Have you ever had a</p> <p>2 poll watcher contact you for guidance on what to do if</p> <p>3 the voter is communicating with an assistor in a</p> <p>4 language other than English?</p> <p>5 A. I have never had a poll watcher contact me</p> <p>6 for that reason because the poll watchers are</p> <p>7 instructed in advance about what to do in that</p> <p>8 situation.</p> <p>9 Q. Okay. Understanding that the poll watcher is</p> <p>10 instructed on how they personally should behave, have</p> <p>11 you ever had a poll watcher contact you to express a</p> <p>12 concern about an in person assistance in the polling</p> <p>13 place in a language other than English?</p> <p>14 A. No.</p> <p>15 Q. Okay. Are you familiar with organized block</p> <p>16 walking activities of the Harris County Republican</p> <p>17 Party?</p> <p>18 A. From a distance.</p> <p>19 Q. Okay. Do you know how the Harris County</p> <p>20 Republican Party recruits block walkers?</p> <p>21 A. What I know is that the precinct chairs are</p> <p>22 encouraged to organize people from the precincts to do</p> <p>23 block walking.</p> <p>24 Q. And when the precinct chairs organize people</p> <p>25 from their precincts to do block walking, is that</p>	59	<p>1 Q. Do you know if block walkers know when</p> <p>2 they're knocking on the door if the voter has requested</p> <p>3 a mail ballot or is eligible to request a mail ballot?</p> <p>4 A. I don't know that.</p> <p>5 Q. Do you know if the Party gives, I don't know</p> <p>6 a better word than swag, do you know if the Party gives</p> <p>7 out like T-shirts or buttons or other things to its</p> <p>8 block walkers?</p> <p>9 A. I do not know for certain, but I have seen</p> <p>10 candidates give buttons and shirts to block walkers.</p> <p>11 Q. And would those be block walkers that were</p> <p>12 organized by the Harris County Republican Party?</p> <p>13 A. I'm not sure.</p> <p>14 Q. Have you seen the script that the block</p> <p>15 walkers use when they interact with the voter?</p> <p>16 A. I have not.</p> <p>17 Q. Okay. Do you know if the Harris County</p> <p>18 Republican Party recruits individuals to be available</p> <p>19 to provide assistance to voters in person at the</p> <p>20 polling place?</p> <p>21 A. I have never seen that activity by the</p> <p>22 Republican Party of Harris County.</p> <p>23 Q. Okay. Do you know whether, for example -- do</p> <p>24 you know whether for example, if Harris County</p> <p>25 Republican Party has a table set up outside the polling</p>	61

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<p>1 place at the appropriate distance, and whether voters 2 have ever asked people at that table to come in and 3 help them, you know, with assistance in casting the 4 ballot?</p> <p>5 A. I am not aware that the Harris County 6 Republican Party has ever set up tables outside a 7 polling place.</p> <p>8 Q. Okay. Have you ever worked outside a polling 9 place encouraging voters as they go in?</p> <p>10 A. Not for the last 14 years.</p> <p>11 Q. And I take -- I take it from that, that your 12 activities which might have been urging voters to vote 13 for a particular candidate, and at the point at which 14 you become the chair of the Ballot Security --</p> <p>15 MR. TAYLOR: Committee.</p> <p>16 MS. PERALES: Committee. I wanted to 17 get it right and I wrote it down on the first page.</p> <p>18 Q. (BY MS. PERALES:) Is that right?</p> <p>19 A. What was the question?</p> <p>20 Q. That your activities urging voters to vote 21 for particular candidates, either door to door or 22 outside the polling place, ended when you became the 23 chair of the Ballot Security?</p> <p>24 A. That's basically correct.</p> <p>25 Q. And can you give me an insight into why?</p>		<p>1 A. There is no coffee and donuts. 2 Q. It's a very serious meeting then? 3 A. Very serious. 4 Q. Okay. Do you hold these meetings at a party 5 headquarters or at a restaurant? 6 A. We hold the meetings in the lobby conference 7 room of the Party headquarters building. 8 Q. Okay. So no food? 9 A. No food. 10 Q. Okay. Do you have a vote, because you 11 mentioned there are 13 voting members? 12 A. I have a vote in the committee, yes. 13 Q. Okay. Have you personally ever assisted a 14 voter who needed assistance voting in person in the 15 polling place? 16 A. During the time I was an alternate judge at 17 Wesley elementary school I was asked by voters from 18 that precinct to assist them and yes, I did. 19 Q. And what types need for assistance did you 20 see at that time? 21 A. During that time I was asked by a voter to 22 explain why there were no democrat candidates for that 23 office and I had to explain that none had filed to run. 24 The voter was concerned and confused, I explained that. 25 Q. Okay.</p>	
<p>1 A. I am in charge of election integrity so I 2 don't endorse candidates during primaries. I don't 3 pick between republican candidates, and for the general 4 election I'm usually too busy with details at the 5 polling places.</p> <p>6 Q. That raises a question I had in the back of 7 my mind. Can you tell me how many people currently are 8 on the Ballot Security Committee for Harris County 9 Republican Party?</p> <p>10 A. There are 13 voting members, and there are 11 eight non-voting members.</p> <p>12 Q. And from where are the voting members drawn?</p> <p>13 A. The voting members are appointed by the SD or 14 Senate District chairs and by the county Party Chair 15 from the SD's, from the Senate District areas.</p> <p>16 Q. And -- and from where are the eight 17 non-voting members drawn?</p> <p>18 A. They are selected by me.</p> <p>19 Q. Okay. Do they serve a term of a certain 20 length?</p> <p>21 A. Two years.</p> <p>22 Q. Do the -- does this Ballot Security Committee 23 hold meetings at regular intervals?</p> <p>24 A. Monthly.</p> <p>25 Q. Who pays for the coffee and donuts?</p>	63	<p>1 A. The -- another voter asked me to explain a 2 bond proposition to them I told them I was not allowed 3 to do anything, but read the language on the ballot and 4 could not answer questions.</p> <p>5 Q. Okay. And so my next question is, what was 6 the -- what was it about the voter that required 7 assistance in voting. So for example inability to read 8 or write or physical disability or --</p> <p>9 A. I had not had any of those instances. The 10 questions I got were about specific ballot issues.</p> <p>11 Q. I see. Okay. So would it be fair to say 12 then that you've never assisted in voting in person at 13 the polling place a physically disabled voter who 14 required your assist -- who required assistance to 15 vote?</p> <p>16 A. In the places I've worked they always came 17 with their own assistant.</p> <p>18 Q. Okay. Have you ever had occasion to assist a 19 voter who was, who didn't speak English and needed 20 assistance interpreting the ballot at the polling 21 place?</p> <p>22 A. Only to the extent of showing them how to 23 turn on the Spanish language ballot and the headphones 24 that read the ballot in Spanish.</p> <p>25 Q. Okay. Have you ever interacted with a voter</p>	65

	<p>66</p> <p>1 in Spanish while delivering that type of assistance?</p> <p>2 A. Yes, but just to give the instructions on how</p> <p>3 to access the Spanish language ballot and the Spanish</p> <p>4 language reading of the ballot.</p> <p>5 Q. I won't presume, but you are from El Paso,</p> <p>6 does that mean you speak Spanish?</p> <p>7 A. It means I spoke Spanish before I spoke</p> <p>8 English.</p> <p>9 Q. And you still have some ability today?</p> <p>10 A. I can order a beer and chips with the best of</p> <p>11 them.</p> <p>12 (Laughter.)</p> <p>13 Q. (BY MS. PERALES:) Okay. Have you ever</p> <p>14 assisted a family member or friend?</p> <p>15 A. I have not.</p> <p>16 MR. TAYLOR: Let the question finish</p> <p>17 before you answer.</p> <p>18 THE WITNESS: Thank you, sorry.</p> <p>19 Q. (BY MS. PERALES:) I've been talking up until</p> <p>20 now about voting in the polling place, but I'll also</p> <p>21 ask, have you ever assisted a voter who requested your</p> <p>22 assistance in casting a ballot by mail?</p> <p>23 A. I have not.</p> <p>24 Q. Have you ever assisted a voter in preparing</p> <p>25 an application for ballot by mail?</p>	68
	<p>67</p> <p>1 A. I have not.</p> <p>2 Q. And that includes friends, family members,</p> <p>3 neighbors, anybody like that?</p> <p>4 A. It does.</p> <p>5 Q. Okay. Are you aware of any instances in the</p> <p>6 polling place in which a voter assistor helped a voter</p> <p>7 who was not eligible for voter assistance?</p> <p>8 A. Repeat the question, please.</p> <p>9 Q. Are you aware of any instances in which a</p> <p>10 voter assistor helped a voter in the polling place who</p> <p>11 was not eligible for voter assistance?</p> <p>12 A. I have not personally seen that. I have</p> <p>13 received reports from poll watchers expressing that</p> <p>14 concern.</p> <p>15 Q. Okay. And what would you do in response to</p> <p>16 that concern?</p> <p>17 A. I would simply have the poll watchers take</p> <p>18 notes and submit it with the report.</p> <p>19 Q. Okay. And did you ever follow up on any --</p> <p>20 well, did you ever receive any written concerns like</p> <p>21 that?</p> <p>22 A. Yes.</p> <p>23 Q. And what did you do to follow up?</p> <p>24 A. We followed up with the Ballot Security</p> <p>25 Committee looking into the voter assistant, because</p>	69

	<p>70 1 A. I cannot recall, it has been a while. 2 Q. Okay. Has it been more than five years? 3 A. No, but more than two. 4 Q. Okay. And that would be a single instance or 5 multiple instances? 6 A. I can't remember. 7 Q. Okay. Okay. Do you recall the last time you 8 asked an election worker to instruct an assistant to 9 carry out the wishes of the voter? 10 A. I never do that personally. I instruct 11 either the poll watcher or one of my workers to bring 12 the issue up with the election judge. 13 Q. And do you recall the last time you did that? 14 A. In early voting for the November 2022 15 election? 16 Q. Do you recall where that polling place was? 17 A. I don't. 18 Q. Okay. And was that a single instance or 19 multiple instances? 20 MR. TAYLOR: Let me -- let me hop in, 21 I'm the new kid on the block here, but I was told that 22 the November 2020 election cycle was not going to be 23 discussed today and this witness didn't prepare -- 24 MS. PERALES: Okay. 25 MR. TAYLOR: -- for that subject area.</p>
	<p>71 1 Now, I could be wrong, but that's what I was told. 2 MS. PERALES: Yeah, and I'm sorry we 3 sort of drifted into that because I was asking when 4 something happened and he mentioned -- 5 MR. TAYLOR: Right, right. 6 MS. PERALES: -- so thank you for that 7 reminder. I will not ask you about that from the 8 November 2022, because we're going to stick to before 9 that. 10 Q. (BY MS. PERALES:) Before November of 2022, 11 can you think of an instance where you instructed poll 12 watcher or poll worker to deal with an issue of an 13 assistor who was suspected of telling a voter how to 14 vote? 15 A. I believe that in the May uniform election 16 date of 2022, so it was not the November, but the May 17 in an ESD Emergency Services District Election, I did 18 have a poll watcher, I gave a poll watcher guidance to 19 have the presiding judge counsel the assistor not to 20 make decisions for the voter. 21 Q. And do you know whether the assistor was a 22 private individual or an election worker? 23 A. It was an election worker. 24 Q. And how did your watcher know that election 25 worker was telling that particular voter how to vote?</p> <p>72 1 Because the election worker was the assistant 2 and the poll watcher is now allowed to be at the booth 3 with the election worker assistant, and the poll 4 watcher was and could overhear and see what's going on. 5 Q. And what did the poll watcher say exactly 6 that -- that communicated their understanding that the 7 election worker was somehow voting for the voter or 8 telling the voter how to vote? 9 A. The voter was pondering different races and 10 candidates and the election worker was making strong 11 suggestions on whom the voter should choose. 12 Q. Do you know whether that particular voter was 13 physically disabled or -- 14 A. I do not. 15 Q. -- okay. Okay. Do you know whether -- did 16 the watcher report that the voter -- let me see, how do 17 I ask this question? Let me start again. Did the 18 watcher report that the election worker assistor voted 19 for the voter, prepared the ballot in anyway that was 20 different than what the voter wanted? 21 A. That particular instance, the poll watcher 22 reported that the election worker assistant was 23 strongly suggesting to the voter which choices he 24 should make in casting his ballot. 25 Q. Okay. And understanding that, that's not</p>

<p>1 voters how to vote?</p> <p>2 A. It was very similar to what I just described</p> <p>3 to you in the other situation that, yes, the reports</p> <p>4 then came in that the assister who had attached herself</p> <p>5 to the voter was strongly suggesting to the voter which</p> <p>6 candidates they should select at the polling place --</p> <p>7 the polling booth -- the voting booth.</p> <p>8 Q. So was it one assister at issue?</p> <p>9 A. There were four people working the parking</p> <p>10 lot.</p> <p>11 Q. Okay. But you heard from the watchers or the</p> <p>12 poll workers that it was this one particular lady?</p> <p>13 A. No, it was all four ladies.</p> <p>14 Q. Okay. Four ladies. And do you know whether</p> <p>15 the ballot was prepared in accordance with the voter's</p> <p>16 wishes in those instances?</p> <p>17 A. I do not.</p> <p>18 Q. Okay. Okay. Do you have any other examples</p> <p>19 within the past five years?</p> <p>20 A. Not that I can think of at this time.</p> <p>21 Q. Okay. I am about to change to another topic</p> <p>22 can we take a five minute break?</p> <p>23 THE REPORTER: Okay. Going off the</p> <p>24 record at 11:41 a.m.</p> <p>25 (Off the record.)</p>	<p>74</p> <p>1 Schofield, Paul Bettencourt.</p> <p>2 Q. Any other senators?</p> <p>3 A. No.</p> <p>4 Q. How about Bryan Hughes?</p> <p>5 A. No.</p> <p>6 Q. Okay. Cain, Swanson, and Schofield are</p> <p>7 members of the House, right?</p> <p>8 A. Correct.</p> <p>9 Q. Okay. Tell me about how many times you</p> <p>10 communicated with Briscoe Cain?</p> <p>11 A. Well, it was the initial visit where I</p> <p>12 visited all of them. I think twice before the</p> <p>13 committees began hearing, maybe two times the most.</p> <p>14 Q. So this would have been after the -- the Legg</p> <p>15 started?</p> <p>16 A. After the opening day of the Legg But before</p> <p>17 the committees began hearing bills.</p> <p>18 Q. Okay. Did you do any work prior -- sorry.</p> <p>19 Did you do any work prior to the start of the session?</p> <p>20 A. I work all the time. Can you be more</p> <p>21 specific.</p> <p>22 Q. So bill filing usually opens in November of</p> <p>23 the year preceding, so just taking you from --</p> <p>24 following the November 2020 election, knowing that</p> <p>25 there's an upcoming legislative session?</p>	76
<p>1 THE REPORTER: Going back on the</p> <p>2 record at 11:54 a.m.</p> <p>3 Q. (BY MS. PERALES:) Okay. Mr. Vera, I'm going</p> <p>4 to turn to talking about the time leading up to the</p> <p>5 introduction of the election related bills in the 2021</p> <p>6 regular session. So at this point we're not at SB 1 as</p> <p>7 we've come to know it, but at that time we had HB 6 and</p> <p>8 SB 7, I believe.</p> <p>9 So in the lead up to the 2021, Texas</p> <p>10 Legislative regular session, it's fair to say that you</p> <p>11 were interested in seeing one or more bills put forward</p> <p>12 that we're going to deal with election issues?</p> <p>13 A. That's correct.</p> <p>14 Q. Okay. So prior to the start of the 2021</p> <p>15 legislative session, what steps did you take to</p> <p>16 advocate for election related legislation in the</p> <p>17 upcoming session?</p> <p>18 A. That was the 87th session. In the early days</p> <p>19 of the session I visited in person in the capital with</p> <p>20 the state reps and the senators who represent Harris</p> <p>21 County and this was a verbal communication of the kinds</p> <p>22 of issues we think needed to be fixed. So we visited</p> <p>23 together and I talked and they took notes.</p> <p>24 Q. Okay. Tell me the names of those people.</p> <p>25 A. Briscoe Cain, Valoree Swanson, Mike</p>	<p>75</p> <p>1 A. Right.</p> <p>2 Q. Just in that period before the legislative</p> <p>3 session starts, did you do work -- and I'm sure you</p> <p>4 must have, so maybe the better question is, what work</p> <p>5 did you do to prepare for a accomplishing your goals</p> <p>6 with respect to your legislation --</p> <p>7 A. -- I understand -- I understand your question</p> <p>8 now, thank you. Again, just to be clear I -- in that</p> <p>9 year was mostly phone calls in advance and those start</p> <p>10 in June. I began calling Swanson and Cain and</p> <p>11 Schofield in June of 2020 discussing issues that were</p> <p>12 of concern to the Ballot Security Committee, not bills</p> <p>13 just issues that needed to be addressed.</p> <p>14 Q. Uh-huh.</p> <p>15 A. And then that continued in January of 2021,</p> <p>16 when I visited their offices and followed up on those</p> <p>17 issues.</p> <p>18 Q. Okay. Understood. You met with them one on</p> <p>19 one?</p> <p>20 A. Well, in June it was phone calls in January</p> <p>21 it was visits one on one, uh-huh.</p> <p>22 Q. Did you meet with the members personally or</p> <p>23 did you meet with their staff?</p> <p>24 A. Probably a mix, I can't remember exactly, but</p> <p>25 I'm sure the -- the members were there on one of the</p>	77

	78		80
<p>1 visits and staff on others.</p> <p>2 Q. Okay. What do you remember advocating on</p> <p>3 that were related to SB 1, meaning either ended up</p> <p>4 in -- in SB 1 or one of its predecessor's bills?</p> <p>5 A. Oh, I see, I see, I see --</p> <p>6 MR. WASSDORF: I'm going to object</p> <p>7 again on the basis of Legislative Privilege to the</p> <p>8 extent that any of the contents of these communications</p> <p>9 were in response to a legislative inquiry and instruct</p> <p>10 you not to answer in that regard.</p> <p>11 MS. PERALES: I don't think you can</p> <p>12 instruct him not to answer.</p> <p>13 MR. WASSDORF: Well, I mean --</p> <p>14 MS. PERALES: But let's -- let's take</p> <p>15 a minute to think about it.</p> <p>16 MR. TAYLOR: Doesn't the state --</p> <p>17 doesn't the state own that privilege though. I mean</p> <p>18 it's not a privilege that --</p> <p>19 MS. PERALES: Well, it's -- it's maybe</p> <p>20 the privilege of a legislator, but it's -- they're</p> <p>21 third parties. They're not parties to the action here.</p> <p>22 MR. WASSDORF: I don't know.</p> <p>23 MS. PERALES: Let me think about this.</p> <p>24 Let me think about this. I'm -- I'm not going to</p> <p>25 trying to steamroll you. I do want to stay on the</p>		<p>1 the contents of any communications that he made in</p> <p>2 response to an inquiry from a legislator or legislative</p> <p>3 staff.</p> <p>4 MS. PERALES: So can you tell me what</p> <p>5 it was about my question to Mr. Vera that may have</p> <p>6 raised that issue for you?</p> <p>7 MR. WASSDORF: I'm having difficulty</p> <p>8 in remembering what exactly the wording of the question</p> <p>9 was, but as it was read the scope of the question</p> <p>10 appeared to potentially encompass his communications to</p> <p>11 the legislators or legislative staff in response to a</p> <p>12 legislative inquiry.</p> <p>13 MS. PERALES: One second.</p> <p>14 Let me see if I can divide his</p> <p>15 testimony in such a way that we are able to segregate</p> <p>16 those questions on the record and deal with them</p> <p>17 separately, perhaps down the line a little bit in the</p> <p>18 deposition.</p> <p>19 MR. WASSDORF: Sure.</p> <p>20 Q. (BY MS. PERALES:) So Mr. Vera, would it be</p> <p>21 fair to say that you had communications with</p> <p>22 legislators and staff in which you were bringing forth</p> <p>23 information or requests at your initiative; that's a</p> <p>24 yes or no question.</p> <p>25 A. Yes.</p>	
<p>1 record.</p> <p>2 MR. WASSDORF: I -- I was asserting</p> <p>3 the privilege of instructing him not to answer based on</p> <p>4 Mr. Taylor's representation that he was going to defer</p> <p>5 to us with respect to our respective privilege</p> <p>6 objections.</p> <p>7 MR. TAYLOR: Yeah, and I can make it</p> <p>8 easier perhaps. I don't want my client a witness to be</p> <p>9 put in a position where somebody has asserted a</p> <p>10 privilege and then said that he improperly waived that</p> <p>11 privilege. So I don't think we have, he and I don't</p> <p>12 have any choice, but if somebody's going to raise a</p> <p>13 privilege today, we're just going to have to, you know,</p> <p>14 not answer that question. But I'm not saying that the</p> <p>15 privilege is valid or invalid, I have no idea because</p> <p>16 I'm not involved in this case. So that's -- but that's</p> <p>17 the practical reality, is I am instructing him not to</p> <p>18 answer questions that these other lawyers are</p> <p>19 asserting, but not because they're valid, but because</p> <p>20 they're asserted.</p> <p>21 MS. PERALES: Uh-huh. So can you tell</p> <p>22 me if you're going to assert the Legislative Privilege</p> <p>23 and instruct the, Mr. Vera not to answer with respect</p> <p>24 to all communications with legislators and staff?</p> <p>25 MR. WASSDORF: No, it's just any --</p>	79		81
		<p>1 Q. Okay. Were there ever times when you were</p> <p>2 communicating with legislators and staff in response to</p> <p>3 a question from them?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. So I'm going to try to divide your</p> <p>6 testimony into what I believe is non-objectionable, you</p> <p>7 bringing forth information to legislators and staff at</p> <p>8 your initiative and then we will try to deal separately</p> <p>9 with your communications with legislators and staff</p> <p>10 where they're requesting something from you?</p> <p>11 A. This is going to be difficult.</p> <p>12 Q. Okay.</p> <p>13 A. Because the interaction and the dynamics of</p> <p>14 the exchanges and discussions, those things overlap</p> <p>15 continually.</p> <p>16 Q. Yeah, okay.</p> <p>17 A. It's going to be difficult.</p> <p>18 Q. Okay. Well, without discussing the</p> <p>19 substance of what they may have been asking you and</p> <p>20 what you may have been, let me try get a sense of how</p> <p>21 that would have unfolded.</p> <p>22 Would it be fair to say that you</p> <p>23 communicated with legislators and their staff in</p> <p>24 person, by phone, and by email?</p> <p>25 A. That would be an accurate statement.</p>	

	82		84
<p>1 Q. Okay. Did you ever have any Zoom meetings 2 with legislators or staff?</p> <p>3 A. Did not.</p> <p>4 Q. Okay. And so is it your testimony that when 5 you were communicating with legislators and their 6 staff, that it was a -- a combination of you bringing 7 forth information at your initiative or requests at 8 your initiative and then getting inquiries from them 9 and then you're responding to those inquiries?</p> <p>10 A. If I understand the question, yes, it was 11 both those issues and frequently in the same meetings.</p> <p>12 Q. Okay. Is it fair to say then to summarize 13 your earlier testimony that you started calling House, 14 Members and staff and Senator Bettencourt and staff in 15 the summer prior to the January 2021 session, and that 16 your communications with them continued both either 17 through email, calls, or in person meetings until the 18 enactment of SB 1?</p> <p>19 A. Well, if an enactment means final passage, 20 yes, because SB 1 did not become effective till 21 December of 2021, so, yes to the enactment.</p> <p>22 Q. Okay. When you responded to inquiries from 23 legislators or staff, would it be fair to say that you 24 were giving them information as well as suggestions on 25 crafting SB 1, or what ultimately became SB 1?</p>		<p>1 the 2021 regular session you started calling 2 legislators and their staff on certain issues as far 3 as -- as the summer before so summer of 2021 -- I'm 4 sorry, summer of 2020 --</p> <p>5 A. 2020.</p> <p>6 Q. -- And I had asked you a question about what, 7 of those communications were relevant to SB 1, or what 8 ended up in SB 1. So just focusing on your outreach to 9 legislators, starting before the start of the 2021 10 regular session, can you tell me what issues you were 11 reaching out on that were relevant to SB 1? So for 12 example there's lots of issues in the election code and 13 I know that you work on lots of different things?</p> <p>14 A. Uh-huh.</p> <p>15 Q. But just specific to what was addressed in SB 16 1, can you remember starting the summer of 2020 what 17 you were advocating on to the members?</p> <p>18 A. At that time I know I mentioned growth in 19 mail ballot harvesting in Harris County. I know I 20 mentioned problems with election judges preventing poll 21 watchers from being close enough to see and hear 22 activity, and that was partly due to COVID, okay? 23 Those are the two major issues in the summer, was the 24 mail ballot harvesting problem and the carryover poll 25 watcher obstruction problem.</p>	
<p>1 A. It would be more -- it would most accurate to 2 say that when I was responding to questions it was 3 providing specific information on problems we had 4 faced.</p> <p>5 Q. Uh-huh.</p> <p>6 A. Not craft -- not how to craft SB 1.</p> <p>7 Q. But suggestions certainly about where, where 8 you wanted to see language to solve certain problems 9 that you had seen?</p> <p>10 A. I think you've gone a little too far on the 11 specificity. It wasn't the language, it was we've got 12 to find how to fix this. I wasn't suggesting the 13 language and how to fix it.</p> <p>14 Q. Okay. Certainly not bill language, let me 15 -- let ask my question in a better way then.</p> <p>16 A. Okay.</p> <p>17 Q. When you're communicating in response to 18 inquiries from legislators, you were giving them both 19 factual information as well as telling them from your 20 perspective that either certain holes needed to be 21 plugged in the statute or certain issues needed to be 22 addressed by the statute?</p> <p>23 A. That is correct, but what I did not do was 24 provide language for the statute.</p> <p>25 Q. Okay. You mention that prior to the start of</p>	83		85

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<p>1 A. At that time, no. The PO Box registration 2 was the issue I raised.</p> <p>3 Q. And so you mentioned at that time, no. So 4 I'm going to make a note to ask you about it later on 5 as well. Do you remember advocating that SB 1 have any 6 provisions regarding the secretary or state receiving 7 the names of voters excused from jury duty for 8 nonresidence?</p> <p>9 A. No.</p> <p>10 Q. Do you remember advocating before SB 1 was 11 filed on requiring the secretary of state to refer 12 information around potential criminal conduct to the 13 AG?</p> <p>14 A. No.</p> <p>15 Q. Now, this is leading up to before SB 1 gets 16 filed, how about recommending that legislators require 17 polling place to be inside a building?</p> <p>18 A. That wasn't -- that wasn't on my list.</p> <p>19 Q. Okay. How about recommending to legislators 20 that they're not be 24 hour voting?</p> <p>21 A. That wasn't on my list.</p> <p>22 Q. Okay. Do you recall before SB 1 was filed 23 recommending to legislators that the election code 24 contain a specific provision that voting machines not 25 allow straight ticket voting?</p>		<p>1 Q. Okay. Do you -- do you recall whether you 2 were advocating before SB 1 was filed on making it 3 Class A Misdemeanor to refuse to accept a watcher?</p> <p>4 A. Not specifically that, no.</p> <p>5 Q. Do you know the source of where that came 6 from in SB 1?</p> <p>7 A. I do not.</p> <p>8 Q. Okay. Now, there's a provision in SB 1 which 9 I believe you said that you did advocate with respect 10 to, which is that the watcher may not be denied free 11 movement where election activity is occurring and the 12 watcher is entitled to sit or stand near enough to see 13 or hear?</p> <p>14 A. Yes.</p> <p>15 Q. You advocated on that?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And did you advocate with respect to 18 it being a Class A Misdemeanor to take action to 19 obstruct the view of a watcher or distance the watcher?</p> <p>20 A. It was already a Class A Misdemeanor.</p> <p>21 Q. Okay. Do you recall advocating that there be 22 either different or increased penalties to -- for an 23 election judge to either distance the watcher or impede 24 the view of the watcher?</p> <p>25 A. Not specifically. I did in my summer phone</p>	
<p>1 A. Not on my list.</p> <p>2 Q. Okay. Do you recall recommending to 3 legislators that SB 1 limit the presiding judge from 4 removing a watcher unless the watcher committed certain 5 infractions, whether those be of the Election Code or 6 the Penal Code?</p> <p>7 A. Not that specific thought, but in the summer 8 I raised the concerns about poll watchers not being 9 allowed to observe what they're entitled to observe. 10 So I raised the general topic, not that specific topic.</p> <p>11 Q. Do you know how that specific topic -- how 12 that specificity about prohibiting election judges from 13 removing watchers unless the watcher committed certain 14 infractions; do you know where that language came from?</p> <p>15 A. I do not.</p> <p>16 Q. Okay. And of course I should have asked you 17 about the ones above as well, do you know where the 18 language came from in SB 1 about having to have the 19 polling place be in a permanent structure?</p> <p>20 A. Not that specific thought, no. That didn't 21 come from my discussions.</p> <p>22 Q. All right. And then do you know where the 23 language in SB 1 came from about not having 24 hour 24 voting?</p> <p>25 A. No, I do not.</p>	87	<p>1 calls, advocate for their being a stronger penalty for 2 election judges who prevent poll watchers from 3 performing their duties.</p> <p>4 Q. Before SB 1 was introduced, did you advocate 5 on prohibiting mail ballot drop boxes?</p> <p>6 A. I did not.</p> <p>7 Q. Do you know where that language -- what was 8 the source of that language for SB 1?</p> <p>9 A. I don't know.</p> <p>10 Q. Okay. Before SB 1 was introduced, did you 11 advocate for either applications for ballot by mail or 12 mail ballots to have increased requirements for 13 presenting ID numbers, and then having -- those ID 14 numbers need to be verified in order to count either 15 the application, process the application, or count the 16 mail ballot?</p> <p>17 A. Not specifically, but I did tell you 18 previously that in the summer phone calls I was raising 19 concerns about mail ballot harvesting in Harris County.</p> <p>20 Q. Okay. You didn't have that specific proposal 21 "though, let's add an ID requirement to the paperwork 22 and have those things required to be checked"?</p> <p>23 A. I did not have that specific proposal. I may 24 have pointed out in one or two phone calls, that the 25 states of Wyoming and Alabama required a photocopy of</p>	89

	<p>90 1 the driver's license of the voter to be included with 2 the ballot.</p> <p>3 Q. Do you know the -- the source of specific 4 language in SB 1 requiring the ID numbers for ABBMs and 5 mail ballots?</p> <p>6 A. I do not.</p> <p>7 Q. Okay. Before SB 1 was introduced, did you 8 advocate at all with legislators for additional 9 information to be asked from individuals who transport 10 curb side voters?</p> <p>11 A. Did not.</p> <p>12 Q. Do you know where the source of that 13 language --</p> <p>14 A. No, ma'am.</p> <p>15 Q. -- okay. Prior to the introduction of SB 1, 16 did you advocate with legislators to increase 17 requirements on polling place assistants; namely, that 18 the assistor oath include additional statements?</p> <p>19 A. That was not on my list, no.</p> <p>20 Q. Okay. And what about whether the assistor 21 would have to say whether they were being compensated 22 by a campaign or a PAC?</p> <p>23 A. That wasn't me.</p> <p>24 Q. How about with respect to mail assistants, 25 mail, not male like y'all --</p>	92
	<p>91 1 A. M-A-I-L.</p> <p>2 Q. -- M-A-I-L, assistance with voting by mail, 3 did you advocate at all prior to the introduction of SB 4 1 that persons who assist voters who are voting by mail 5 are requesting a mail ballot provide additional 6 information about their relationship and compensation?</p> <p>7 A. Not that specifically.</p> <p>8 Q. Okay. Do you know the source of that?</p> <p>9 A. I do not.</p> <p>10 Q. Do you know the source of -- or where it came 11 from in SB 1 that the assistor oath be lengthened and 12 that --</p> <p>13 A. I do not know the source.</p> <p>14 Q. -- okay. Now, there's a -- a provision in SB 15 1 that makes it an offense to compensate or offer to 16 compensate another person to assist voters in voting by 17 mail, did you advocate on that issue prior to SB 1's?</p> <p>18 A. I did not.</p> <p>19 Q. Okay. Do you know how that language got into 20 the Bill?</p> <p>21 A. I do not.</p> <p>22 Q. All right. So there is a part of SB 1 that 23 talks about vote harvesting and so I understand that 24 you had raised a concern related to that. And so did 25 you advocate with legislators that it should be</p>	93

	<p>94 1 to the introduction of SB 1 you had a concern about 2 vote harvesting that may have been related to 3 falsification of information outside the presence of 4 the voter as opposed to anything that might be 5 happening between the voter and someone who's asking 6 them to vote a certain way?</p> <p>7 A. The concerns I was raising in the summer of 8 2020, were about ballot harvesting in a definition that 9 did not include direct interaction with the voter, 10 where the voter was totally unaware that they were 11 requesting a mail in ballot.</p> <p>12 Q. Okay. So I want to stay in the time period 13 prior to the introduction of SB 1, and shift slightly 14 to your communications with people who are not 15 legislators?</p> <p>16 A. Uh-huh.</p> <p>17 Q. Namely, first, the secretary of state's 18 office, did you communicate at all with the secretary 19 of state's office about what you would want to see in 20 voter integrity legislation in the 2021 session?</p> <p>21 A. I did not, no.</p> <p>22 Q. Next I'll go to the -- the office of the 23 governor. Did you communicate with anybody in the 24 office of the governor related to what he would want to 25 see in voter integrity legislation for the 2021</p>	
	<p>95 1 session?</p> <p>2 A. No, I did not.</p> <p>3 Q. And then finally with the respect to the 4 office of Texas Attorney General, did you communicate 5 with anybody in the office of the Texas Attorney 6 General about anything you would have wanted to see in 7 the 2021 session related to voter integrity 8 legislation?</p> <p>9 A. No, I did not.</p> <p>10 Q. Now, I'm going to bring you up to the time 11 period of the regular session, the bills are now 12 introduced, you mentioned that you probably had two 13 meetings with legislators or legislative staff after 14 the opening day?</p> <p>15 A. One or two, uh-huh.</p> <p>16 Q. Uh-huh. So in addition to personal meetings 17 -- well, let me ask you this, do you know how many 18 times you went up to Austin during the regular session?</p> <p>19 A. Well, before the committee hearings began 20 with bills, only twice. So January, February, two 21 times.</p> <p>22 Q. Uh-huh.</p> <p>23 A. Once the committee hearings began for hearing 24 election bills it was almost weekly.</p> <p>25 Q. And in the almost weekly visits that you were</p>	<p>97 1 consequences in the language of this bill and I respond 2 with my best evaluation of what might be the unintended 3 consequences. The email you referenced earlier on the 4 issue of ballot harvesting being an in person 5 definition was inquiry from a legislator, and that was 6 my response.</p> <p>7 Q. Okay. So would it be fair to say then that, 8 once the committee hearings start your interactions 9 with legislative staff and legislators are in the form 10 of providing feedback on specific bill language that 11 they want to vet with you?</p> <p>12 A. In general, yes. In general, yes. There 13 have been -- there were two occasions in that first 14 regular session when in testimony I mentioned 15 suggestions that might make the Bill better, and in 16 those two cases -- only two -- I was contacted while I 17 was still waiting to testify on later bills and spent 18 time explaining to the staff, this is what I was 19 referring to.</p> <p>20 Q. And generally that -- would that be by phone 21 or --</p> <p>22 A. Well, it's in person.</p> <p>23 Q. In person?</p> <p>24 A. While I'm still there in Austin.</p> <p>25 Q. I see. So you might -- a legislator --</p>

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<p>1 legislative staff might track you down while you're 2 still in the building and ask you to respond as they're 3 vetting bill language?</p> <p>4 A. Asking me to explain specifically what I was 5 suggesting in my testimony that might make the Bill 6 better.</p> <p>7 Q. Okay. Did you ever have an exchange like 8 that that resulted in bill changing in some way?</p> <p>9 A. I assume there -- yes, but I can't remember 10 which bill. It was not one of these, except for the 11 reconciliation of votes and voters.</p> <p>12 Q. Okay. So just specific to HB 6, SB 7, SB 1, 13 it's predecessor's bills, do you ever recall advocating 14 during the regular session for something to either be 15 added or changed about those bills that you saw come to 16 fruition?</p> <p>17 A. Not in the regular session.</p> <p>18 Q. Okay. And you've testified in favor of the 19 bills during the regular session HB 6 and SB 7, is that 20 correct?</p> <p>21 A. Correct.</p> <p>22 Q. Did you advocate for any bills that were not 23 HB 6 or SB 7 to kind of reach out and incorporate maybe 24 a -- a smaller bill that was also moving through the 25 Legg?</p>		<p>1 That was the only one I can recall.</p> <p>2 Q. Okay. You mentioned that you typically 3 didn't submit written testimony when you testified, but 4 did you submit anything in writing to either 5 legislators or legislative staff that showed your 6 thoughts or perspectives on either SB 7, or HB 6 -- and 7 it could be anything, a memo, an email, a mark up of 8 the Bill with your concerns?</p> <p>9 A. At that time I'm sure that I don't leave 10 copies of my testimony, but I sometimes give Exhibits. 11 Yes, I did give out Exhibits showing the examples of 12 the dead voters who requested mail ballots, okay, in 13 January, February 2020. So those were handed out to 14 the committees, that was it.</p> <p>15 Q. And then specific to the bills themselves, 16 did you ever give them any writings that gave your 17 thoughts or reactions to what was in the Bill or what 18 wasn't in the Bill or how the Bill was written?</p> <p>19 A. Only when -- when asked, I -- I didn't 20 proactively.</p> <p>21 Q. Uh-huh.</p> <p>22 A. But if they -- when they asked me say, take a 23 look at this, see what are the unintended consequences 24 I replied.</p> <p>25 Q. And unintended consequences, when you say</p>	
<p>1 A. Please state the question again so I'm clear, 2 did I ever advocate for bringing another bill into SB 3 7?</p> <p>4 Q. Yeah.</p> <p>5 A. There was one point -- not in regular session 6 I don't think -- but, I advocated bringing Senate bill 7 1589 into Senate bill one or 7, whatever the number was 8 at the time.</p> <p>9 Q. And did that happen?</p> <p>10 A. Nope.</p> <p>11 Q. Was 1589 one of the Bettencourt bills?</p> <p>12 A. It was. Show you how much influence I have.</p> <p>13 Q. Well, and Senator Bettencourt he had filed 14 some -- so smaller stand alone bills; is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. Did you ever communicate by text with either 17 legislators or legislative staff?</p> <p>18 A. No, I think Briscoe Cain may have texted me 19 once to ask me to stop testifying on all the bills, 20 swear to God.</p> <p>21 (Everyone Laughing.)</p> <p>22 Q. (BY MS. PERALES:) Did he offer a reason why, 23 or did you understand why he was asking?</p> <p>24 A. This meeting is running too long. The 25 committee hearing is running too long, stop testifying.</p>	99	<p>1 that you mean how the Bill language would play out in 2 real life?</p> <p>3 A. Yes.</p> <p>4 Q. And whether it would accomplish the goals of 5 the Bill?</p> <p>6 A. That's correct.</p> <p>7 Q. Okay. And when you would be asked -- and I 8 won't ask you for the specifics of that just yet -- you 9 could have potentially have responded in writing with 10 respect to that?</p> <p>11 A. By email, potentially, yes.</p> <p>12 Q. Okay.</p> <p>13 A. Usually those were either emails or telephone 14 calls.</p> <p>15 Q. Do you recall ever advocating for something 16 to be taken out of either SB 7 or HB 6?</p> <p>17 A. I think the language defining ballot 18 harvesting as requiring personal contact with the voter 19 qualify as that, but again that was in response to a 20 question from a legislator.</p> <p>21 Q. Okay. Now, as SB 7 and HB 6 are moving 22 through the regular session, what communications are 23 you having with the secretary of state regarding those 24 bills, where Keith Ingram, Christina Adkins, or anybody 25 else in the secretary of state's office?</p>	101

<p>1 A. I don't think I'm having any communications 2 with them about the bills. I can't recall any 3 communications with them about HB 6 or SB 7. 4 Q. You weren't for example saying, hey, when you 5 testify don't forget, this issue has come up in Harris 6 County, anything in which you're encouraging them to 7 either include information or have a certain 8 perspective? 9 A. I can't recall ever communicating with the 10 SOS office or anyone there about those bills while the 11 session was in progress. 12 Q. Okay. Were there other bills for example 13 that you sent information to Keith Ingram on that had 14 to do with elections? 15 A. No, no. You should know that Keith Ingram 16 doesn't really like me a whole lot, okay? So I send 17 formal complaints when I uncovered some wrongdoing, and 18 that's normally when I communicate with him. We don't 19 communicate directly a whole lot. 20 Q. So if Keith Ingram said, for example, you had 21 provided him bill language on something or another, 22 would that be false? 23 A. I wouldn't know where it came from. 24 Q. Okay. 25 A. I wouldn't know where they came from.</p>	<p>102 1 unrealistic? 2 MS. PERALES: So a lot of the rest of 3 this is -- hold on a second, let me just check and see. 4 So I pretty much -- you've sensed I sort of reached the 5 end of my questions with respect to regular session. 6 So this would be a natural stopping point because you 7 know my next set of questions -- not about the 8 pre-pre-session or the regular, but my next set of 9 questions are going to be about the specials and 10 then -- 11 MR. TAYLOR: You think that would be 12 at least an hour? 13 MS. PERALES: Very similar -- 14 MR. TAYLOR: I'm just trying to figure 15 out if we should break for lunch. 16 MS. PERALES: -- yes, I think we 17 should break for lunch, if the witness is, you know -- 18 THE WITNESS: I never had such power. 19 THE REPORTER: Going off the record at 20 12:44 p.m. 21 (Off the record.) 22 THE REPORTER: Going back on the 23 record at 1:42 p.m. 24 Q. (BY MS. PERALES:) Okay. We're back on the 25 record, Mr. Vera, and I'm going to update our</p>
<p>1 Q. Okay. Same question with respect to the 2 attorney general's office, as the HB 6, SB 7 are moving 3 through the regular session were you having any 4 communications with the office of the attorney general 5 related to these bills? 6 A. No, during that time my communications with 7 the office of attorney general were complaining about 8 lack of action on complaints I had already filed. 9 Q. Okay. And then with respect to 10 communications with office of the governor, were you 11 having any with the officer of the governor -- office 12 of the governor on HB 6, SB 7 during the regular 13 session? 14 A. I cannot remember any communications with the 15 governor's office. 16 MR. TAYLOR: Nina, at what point -- 17 I'm not suggesting right now -- do you want to break 18 for lunch? 19 MS. PERALES: Whenever the witness -- 20 as I mentioned, you're not a hostage here -- whenever 21 the witness feels like he's comfortable and ready to 22 take that break. 23 MR. TAYLOR: Do you feel like you're 24 making quicker progress than anticipated where it makes 25 sense to just try to get this over with, or is that</p>	<p>103 1 conversation to the time period of the first and second 2 special sessions in 2021. If you recall the 2021 3 regular session ended over the Memorial Day weekend 4 without passage of SB 7, HB 6, and then we had the two 5 special sessions culminating with the legislature's 6 passage of what then came to be known as SB 1. 7 So during the -- now, you had 8 mentioned earlier in your testimony that you did some 9 advocacy during the first special session. Do you 10 remember at this point, I think bills were introduced, 11 I'm not sure whether we got to the committee hearings 12 during the first special, but can you generally give me 13 a sense of what you were doing during the first special 14 on the election integrity bill? 15 A. Well, I testified before the state -- Senate 16 State Affairs Committee on a Saturday. And I testified 17 in the House for Mr. Murrell's Bill that same day and 18 then things kind of ended because everyone had fled to 19 Washington, there was no quorums so they couldn't 20 conduct business. 21 Q. Okay. Do you remember at that point what you 22 were focused on in terms of provisions in the Bill, had 23 your focus remained the same as it was before these 24 bills were filed in the regular or had your advocacy 25 expanded to additional portions of the Bill?</p>

<p>1 A. Nothing changed during the first special 2 session, but while that was going on we were doing our 3 analysis of Harris County's elections again and found 4 once, again, that we had many precincts, many vote 5 centers, where there were many ballots than voters. So 6 between the first and second special sessions is when I 7 advocated for the addition of two sentences to what was 8 then SB 1 that would require every county to reconcile 9 the number of ballots and number of voters.</p> <p>10 Q. Okay. So in -- I'm going to go over with you 11 again some of the provisions of SB 1 and my question 12 will be, with respect to the time leading up to the 13 legislature's passage of SB 1, whether you did any 14 advocacy on these provisions?</p> <p>15 A. Now, we're including the summer of 2021?</p> <p>16 Q. Yeah, all the way through.</p> <p>17 A. Okay.</p> <p>18 Q. From pre-filing all the way through -- well 19 you've told me in pre-filing period what you were 20 focused on?</p> <p>21 A. Uh-huh.</p> <p>22 Q. But now through you know end of September 23 2021, did you advocate at all with legislatures or 24 any -- any other officials to have registration 25 provisions in SB 1?</p>	<p>106</p> <p>1 poll watchers, such as prohibiting election judges from 2 removing unruly watchers unless the watcher's behavior 3 violates the Penal Code or was personally observed by 4 the election judge?</p> <p>5 A. I was not advocating for that. I will tell 6 you that during that time period I advocated for 7 removing some of the original language of SB 1 which 8 allowed poll watchers to carry cameras and take photos 9 and record inside the polling place. I was opposed to 10 that.</p> <p>11 Q. Okay. Now, the provisions related to -- okay 12 did you advocate in the legislature with other 13 officials during this time period up to passage of SB 1 14 that it be made a Class A Misdemeanor to refuse to 15 accept a watcher?</p> <p>16 A. I did not.</p> <p>17 Q. Did you advocate during this time period with 18 either legislators or other officials that SB 1 include 19 language saying that a watcher may not be denied free 20 movement where election activity is occurring -- 21 occurring and is entitled to sit or stand near enough 22 to see and hear the conduct of the observed activity?</p> <p>23 A. Only in my testimony to the committee.</p> <p>24 Q. And with respect to the time period that 25 we've defined leading the passage of SB 1, did you</p>
<p>107</p> <p>1 A. No, I did not.</p> <p>2 Q. Did you advocate to require the secretary of 3 state to refer information about criminal conduct to 4 the attorney general?</p> <p>5 A. Did not.</p> <p>6 Q. Did you advocate with respect to sending 7 lists of voters who were excused from jury duty for 8 nonresidence to the secretary of state?</p> <p>9 A. Did not.</p> <p>10 Q. Did you advocate for -- with any legislators 11 or other officials for polling places to be located 12 only inside the physical building?</p> <p>13 A. Did not.</p> <p>14 Q. Did you advocate with legislators or other 15 officials about containing the hours of voting so that 16 there wouldn't be voting between 10 p.m. and 6 a.m.</p> <p>17 A. Did not.</p> <p>18 Q. Did you advocate with legislators or other 19 officials regarding voting machines not allowing 20 straight ticket voting?</p> <p>21 A. Did not.</p> <p>22 Q. Now, you were advocating on poll watchers?</p> <p>23 A. I was.</p> <p>24 Q. And so is there a point at which you began to 25 advocate on the specific provisions in SB 1 related to</p>	<p>109</p> <p>1 advocate with legislators or other officials to make it 2 a Class A Misdemeanor to take any -- for an election 3 official to take any action to obstruct the view of a 4 watcher or distance the watcher from the activity or 5 procedure being observed?</p> <p>6 A. Only in my testimony to the committee.</p> <p>7 Q. Did you advocate, leading up to the passage 8 of SB 1, on prohibiting mail ballot drop boxes?</p> <p>9 A. I did not personally advocate in that.</p> <p>10 Q. Okay. Did you advocate leading up to the 11 passage of SB 1 for language in the Bill that would 12 require voters to put ID numbers on ABMs or mail 13 ballots as part of the process of verifying voter 14 identity?</p> <p>15 A. I did not advocate.</p> <p>16 Q. Okay. Did you advocate leading up to the 17 passage of SB 1 for new information to be gathered from 18 individuals transporting curbside voters?</p> <p>19 A. I did not advocate for that provision.</p> <p>20 Q. Did you advocate leading up to the passage of 21 SB 1 with legislators or other officials on adding 22 language to assistive oath?</p> <p>23 A. I did not.</p> <p>24 Q. Did you advocate leading up to the passage of 25 SB 1 with legislators or other officials for</p>

	<p>1 requirement that individuals assisting with mail ballot 2 preparation provide their relationship and whether they 3 were compensated? 4 A. I did not advocate in that specific issue. 5 Q. Did you advocate leading up to the passage of 6 SB 1 for -- either with legislators or others that 7 there be a state jail felony when a person compensates 8 or offers to compensate another person to assist 9 voters? 10 A. I did not advocate for that provision. 11 Q. Okay. And did you advocate leading down the 12 passage of SB 1 with legislators or others that SB 1 13 prohibit what it terms vote harvesting services that 14 would be an in person interaction with a voter in the 15 presence of a ballot intended to advocate for certain 16 ballot positions? 17 A. I did not advocate for that provision. 18 Q. Leading up to the passage of SB 1 did you 19 advocate with legislators or other officials on 20 imposing a civil penalty on election officials who 21 violate the election code? 22 A. I did not advocate for that provision. 23 Q. So you mentioned earlier -- okay. Well, 24 here's -- here's a question for you, some of these 25 provisions seem related to things that Harris County</p>
	<p>110</p> <p>1 drive-thru voting. 2 Q. Okay. So we've covered these specific 3 provisions, so let me sort of change somewhat to ask 4 you, on what provisions were you communicating with 5 legislatures or legislative staff during the period 6 leading up to the enactment of SB 1? 7 A. During that period of time I was not doing 8 any individual advocacy with legislators or their 9 staffs accept between the first and special session 10 when I asked Senator Bettencourt's staff to carry those 11 two sentences and put them into SB 1 for me, everything 12 else was in public testimony. 13 Q. What about answering questions from 14 legislators -- 15 A. Yes. 16 Q. -- as we had discussed earlier, were you 17 answering questions from legislators during the period 18 of the -- either the regular or the first or the second 19 special session? 20 A. Yes, I would get questions from legislators 21 asking me to review this document and this language and 22 see if there are any unintended consequences, that's 23 normal. 24 Q. And then you provide your feedback? 25 A. Correct.</p> <p>111</p> <p>1 was doing in the general election of 2020? 2 A. Uh-huh. 3 Q. For example, expanding the hours of voting to 4 24 hours, having voting occur kind of in areas where 5 it's not a permanent structure, but more of a tent set 6 up or nonpermanent structure, but you did -- you're 7 saying that your advocacy in the legislature with 8 legislators did not touch on those things that Harris 9 County had done, in particular? 10 A. Immediately after the 2020 election, okay? I 11 did my own local analysis for our legislators on what 12 had happened in that election. And one of the issues 13 that I addressed was the incredible problems and the 14 almost disenfranchisement of 2,000 voters in drive-thru 15 voting because of the poor -- poor way it was handled. 16 So talked about that locally and I'm -- I'm sure many 17 of our legislators heard my comment on that topic. 18 Q. Did you ever speak to legislators and urge 19 them to do something about what you had found with 20 respect to the drive-thru voting? 21 A. I did not do that. I was questioned at 22 length on drive-thru voting by Senator Royce West 23 during the Senate State Affairs Committee hearing on SB 24 1 in the first special session. And that's why, for 25 half an hour got into all the details and problems of</p> <p>112</p> <p>113</p> <p>1 Q. Okay. And so about how often, how many times 2 per week during the first or second special were you 3 providing that kind of feedback to legislators or 4 staff? 5 A. Well, during the first special session it was 6 no more than twice a week. The second special session 7 it was only once a week at max, that anybody asked. 8 Q. Okay. 9 A. Things were pretty settled by then. 10 Q. Okay. And then with respect to who was 11 asking, can you give me the names of the people who 12 were seeking your input on the Bill language or for the 13 -- you know, for your reaction to this? 14 A. I would get emails from State Rep Jacey 15 Jetton, State Rep Valoree Swanson, Senator Bettencourt 16 and his staff, and I think 90 percent of the emails I 17 got requesting my point of view were those three people 18 or their staffs. 19 Q. Did you ever have a request for your feedback 20 from Briscoe Cain or his staff? 21 A. In the regular session I did get a -- a 22 request from that on HB 6. 23 Q. Okay. And with respect to Mike Schofield, 24 did you ever get a request from him for feedback or 25 reaction either him or his staff?</p>

<p>1 A. Did not.</p> <p>2 Q. Okay. How about Representative Clardy, did 3 you have any communications with either him or his 4 staff related to bill language?</p> <p>5 A. No.</p> <p>6 Q. Okay. Jacey Jetton, would it be fair to say 7 it was not somebody that you had met with at the early 8 part of the session?</p> <p>9 A. That's correct. He's a representative from 10 Fort Bend County, so he would not have attended the 11 Harris County's events where we discussed the election 12 legislation --</p> <p>13 Q. I'm sorry, I stepped on your answer. And so 14 tell me how you begin to start communicating with 15 Representative Jetton about SB 1?</p> <p>16 A. Very simple. I got an email from his staff 17 asking me to comment on these sections of the Bill, and 18 I gave them my comments.</p> <p>19 Q. Would it be fair to say that during the time 20 that you were providing your comments on bill language 21 in the regular session, the first and second special 22 session, that what you were being asked to comment on 23 was broader than poll watchers or harvesting?</p> <p>24 A. Yes, it would be a correct statement, because 25 the email usually simply asked, please take a look at</p>	<p>114</p> <p>1 related to vote harvesting?</p> <p>2 A. Yes.</p> <p>3 Q. Were you asked to respond to language related 4 to voter assistance?</p> <p>5 A. No, I was not.</p> <p>6 Q. Okay. Were you asked to respond to language 7 related to 24 hour voting?</p> <p>8 A. No, I was not.</p> <p>9 Q. Were you asked to responds to language 10 related to temporary polling places or moveable polling 11 places, given that you had raised some concerns about 12 that in your testimony?</p> <p>13 A. I was not because they thought they already 14 had the solution.</p> <p>15 Q. Okay. So they weren't asking for your help 16 on that one?</p> <p>17 A. Correct.</p> <p>18 Q. Were you asked to provide your thoughts on 19 the Bill language related to voters providing ID 20 numbers on either ABBMs or mail ballots?</p> <p>21 A. I was and I was -- my -- I was and I was 22 ignored.</p> <p>23 Q. Okay. Is there anything else that you can 24 think of in your mind that were parts of SB 1 that you 25 were asked to provide your feedback on that I haven't</p>
<p>115</p> <p>1 these sections and tell us if there are any unintended 2 consequences from that language.</p> <p>3 Q. And then you would provide your concerns or 4 your thoughts about how the Bill language would play 5 out in real life?</p> <p>6 A. I would provide my feedback on that -- 7 those -- those exact words, the current language might 8 be misinterpreted, misconstrued, or abused for a -- a 9 result I didn't want.</p> <p>10 Q. Or also might fail to address a problem that 11 you perceived?</p> <p>12 A. Correct, yes.</p> <p>13 Q. Okay. And would it be fair to say then those 14 types of legislator requests covered most provisions in 15 SB 1?</p> <p>16 A. I can't answer that because I won't remember. 17 I know that most of the request I get for that feedback 18 specify sections of the language they want me to look 19 at. I don't know if it covered all -- SB 1 is a pretty 20 long bill.</p> <p>21 Q. Maybe I'll -- I'll be slightly more specific, 22 were you asked to respond to language related to poll 23 watchers, for example?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Were you asked to respond to language</p>	<p>117</p> <p>1 touched in just the moment or two?</p> <p>2 A. I can't remember, we covered so much. If I 3 think of it I'll -- I'll mention it, but right now I 4 can't think of thinking else.</p> <p>5 Q. Now with protect to feedback you provided on 6 poll watchers, tell me the feedback that you provided 7 on poll watchers.</p> <p>8 MR. WASSDORF: I'm going to object on 9 the grounds of legislative privilege and ask the 10 witness not to testify.</p> <p>11 MS. PERALES: Okay.</p> <p>12 Q. (BY MS. PERALES) And Mr. Vera, are you going 13 to follow the instruction of Mr. Wassdorf not to 14 testify on the feedback that you provided legislators 15 related to poll watchers?</p> <p>16 THE WITNESS: I am.</p> <p>17 Q. (BY MS. PERALES:) Okay. Now what feedback 18 did you provide to legislators with respect to vote 19 harvesting?</p> <p>20 MR. WASSDORF: Same objection.</p> <p>21 Q. (BY MS. PERALES) Are you going to follow the 22 advice of Mr. Wassdorf and decline to testify on the 23 feedback that you provided to legislators or staff 24 about vote harvesting?</p> <p>25 A. I am.</p>

	<p>1 Q. Next I'll ask you what feedback you provided 2 to legislators or staff related to the requirement that 3 voters provide an ID number on either their ABBM or 4 their mail ballot?</p> <p>5 MR. WASSDORF: Same objection.</p> <p>6 Q. (BY MS. PERALES) Are you going to follow the 7 instruction of Mr. Wassdorff and decline to testify on 8 the feedback you provided to the legislators about the 9 voter ID on mail voting?</p> <p>10 A. I am.</p> <p>11 Q. (BY MS. PERALES:) Okay. What feedback did 12 you provide to legislators or staff related to what we 13 call drive-thru voting?</p> <p>14 MR. WASSDORF: Same objection.</p> <p>15 Q. (BY MS. PERALES) Are you going to follow the 16 instruction of Mr. Wassdorff and not -- and decline to 17 testify regarding the feedback that you provided 18 legislators about drive-thru voting?</p> <p>19 A. I am.</p> <p>20 Q. (BY MS. PERALES:) Were you asked to provide 21 feedback on any of the voter registration provisions of 22 SB 1, including for example the requirement that the 23 registrar report an ineligible registrant or voter to 24 law enforcement?</p> <p>25 A. I was not.</p>
	<p>118</p> <p>1 on all of your experiences in those sessions, what is 2 your understanding of the source of the language in SB 3 1 about voter assistance in the polling place?</p> <p>4 A. Yeah, I don't know. I have no idea where it 5 came from, it was not one of my areas of focus.</p> <p>6 Q. Okay. Same question with respect to the 7 provisions on 24 -- and I'm just going name certain 8 practices that occurred in Harris County. 24 hour 9 voting, mail ballot drop boxes, and drive-thru voting, 10 do you know the source of where those ideas came from 11 in the Bill?</p> <p>12 A. No, I don't.</p> <p>13 Q. Okay.</p> <p>14 A. The language in the Bill on the drive-thru 15 voting, because the language addressed the kind of 16 facility, was almost taken from the Federal Court in 17 downtown Houston.</p> <p>18 Q. Okay.</p> <p>19 A. There was a -- there was a civil action and a 20 judge -- the Federal Judge ruled that the language in 21 the early voting portions of the code was different 22 from the language in the election day portions of the 23 code, and what I observed is that SB 1 simply took the 24 languages from election day and applied them to early 25 voting. So I wasn't part of that process, but</p> <p>119</p> <p>1 Q. Were you asked to provide any feedback by 2 legislators on the provisions of SB 1 requiring the 3 secretary of state to refer any information about 4 criminal conduct to the attorney general?</p> <p>5 A. I was not.</p> <p>6 Q. Were you asked to provide any feedback by 7 legislators about the provision of SB 1 that requires 8 the secretary of state to receive lists of voters 9 excused from jury duty for nonresidence?</p> <p>10 A. I was not.</p> <p>11 Q. Were you asked to provide any feedback by 12 legislators on the provisions of SB 1 having to do with 13 24 hour voting?</p> <p>14 A. I was not.</p> <p>15 Q. Were you asked to provide any feedback by 16 legislators or staff on the provision of SB 1 having to 17 do with mail ballot drop boxes?</p> <p>18 A. I was not.</p> <p>19 Q. Were you asked to provide any feedback by 20 legislators or staff on bill language addressing 21 individuals who bring people to the polls for curbside 22 voting?</p> <p>23 A. I was not.</p> <p>24 Q. So if we take the time period leading up to 25 passage of SB 1 at the end of the second special, based</p> <p>120</p> <p>1 that's -- that's what I observed.</p> <p>2 Q. Okay. Thank you. Based on your experience 3 through passage of SB 1, do you know where the -- what 4 the source or the idea or the language was related to 5 voters providing an ID number when sending in either an 6 ABBM or a mail ballot?</p> <p>7 A. I do not know the source of that language.</p> <p>8 Q. Now you had raised a concern yourself that 9 there was essentially non-voters submitting 10 applications for ballot by mail?</p> <p>11 A. Uh-huh.</p> <p>12 Q. In the names of others?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Do you have any sense of how the Bill ends up 15 saying somebody who submits an ABBM or mail ballot 16 ought to provide additional information, like an ID 17 number?</p> <p>18 A. Senate Bill 1 did not affect those sections 19 of the code that dealt with falsifying or forging ABBMs 20 for people that are unaware that their names are being 21 used. That was not changed by SB 1.</p> <p>22 Q. So do you have any sense of where the new ID 23 requirements came from in -- in terms of who might have 24 proposed it or?</p> <p>25 A. I don't know. I don't know.</p>

1 Q. Okay. What is your sense of the source of 2 the language on vote harvesting that's in SB 1? Based 3 on your knowledge through the passing of SB 1, do you 4 know where that language came from about vote 5 harvesting, which is advocating in person with a voter 6 in the presence of the ballot in favor of a particular 7 candidate or measure? 8 A. No, I don't know where that came from. 9 Q. How about that portion of SB 1, do you know 10 for example who suggested or what the source of the 11 provision is that it's a state jail felony when a 12 person compensates or offers to compensate another 13 person to assist voters? 14 A. I don't know the source of that. 15 Q. Okay. Earlier I had asked you about whether 16 you communicated with the secretary of state's office? 17 A. Uh-huh. 18 Q. Either Keith Ingram or Christina Adkins 19 during either the first or the special session? 20 A. Uh-huh. 21 Q. Although, I'm not sure if I asked about the 22 first or the special session, so let me just ask you. 23 Do you remember communicating with anybody from the 24 secretary states office Keith Ingram, Christina Adkins 25 about SB 1 or related issues during either the first or	1 A. I would agree that it's relevant to that, but 2 it was not an advocacy for that. I wasn't advocating, 3 it was -- it was a done deal, SOS was going to have to 4 train poll watchers and I offered them some -- a head 5 start in the training materials. 6 Q. Okay. Were there any other communications 7 that you had with either the secretary of state, the 8 AG, or the governor's office during this period of time 9 that you might not classify as advocacy, but was 10 communication related or touching on SB one's 11 provisions? 12 A. Let me think. No, that was long after that 13 I -- I can't remember any. I cannot remember any other 14 communications. 15 Q. Okay. So would it then be fair to say that 16 you sent a copy of your poll worker training 17 PowerPoint? 18 A. Poll watcher. 19 Q. I'm sorry, thank you for that. Your -- let 20 me ask the question again, would it be fair to say that 21 you sent a copy of your poll watcher training 22 PowerPoint to Mr. Ingram and Ms. Adkins of the 23 secretary of state's office in early September, 2021? 24 A. I think that's probably correct. 25 Q. Okay. Would you mark this as the next
1 second special? 2 A. I clearly remember not communicating with 3 anyone in the SOS office about SB 1 during the regular 4 session or the two special sessions. 5 Q. Okay. What about for example your poll 6 watcher trainings, do you recall sharing your poll 7 watcher training PowerPoint with Keith Ingram -- 8 A. Yes, that was different. 9 Q. -- and/or Christina Adkins? 10 A. In a -- in a Senate State Affairs Committee 11 hearing they were both present, I was there to testify, 12 and at that point SB 1 was passing, was going to pass, 13 and required a secretary of state to provide poll 14 watcher training as part of new requirements of Senate 15 Bill 1. I said to Keith, by the way I've got a 16 presentation I've been use for years that updates, 17 would you like to see it? So this was back in you 18 know, 2021, and they said I'd love to see it, so I'll 19 just email it to you. Christina said, yeah, copy me 20 too. So I sent them my PowerPoint, the old PowerPoint, 21 pre-SB 1, and sent it by email to both of them. 22 Q. Okay. And so would you agree with me that 23 that was related to SB 1 with respect to the provision 24 that would require the secretary state to state to 25 start training poll watchers?	1 exhibit please? 2 The court reporter has handed you what 3 has been marked deposition Exhibit No. 3. Do you 4 recognize this as at least partly an email from you on 5 September 2, 2021, to Keith Ingram and Christina Atkins 6 attaching your poll watcher PowerPoint? 7 (Exhibit No. 3 marked.) 8 A. Yeah, I specifically attached the 2020 poll 9 watcher version, that's correct. 10 Q. (BY MS. PERALES:) The court reporter has 11 handed you what has been marked Deposition Exhibit No. 12 4. Can you identify this document? 13 (Exhibit No. 4 marked.) 14 A. It appears to be a photocopy of my 2020 poll 15 watcher training class. 16 Q. (BY MS. PERALES) Is Exhibit No. 4 what would 17 have been the attachment to Exhibit No. 3, the email? 18 A. That's correct. 19 Q. How do I know this is your 2020 training, 20 where can I tell on here? 21 A. I don't know if you can tell from the 22 document or not, hang on. 23 You can tell because there's nothing 24 in here about having to take the secretary of state's 25 poll watcher training which was changed in 2021, so on

	<p>1 a slide that says before election day, if you look up 2 I'll show you. That slide, the new one would say have 3 to take the secretary of state poll watcher training 4 also.</p> <p>5 Q. So you recall making that change to your 6 training after SB 1 passed?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Okay. If Mr. Ingram or Ms. Adkins 9 asked you for your 2022 poll watcher training as follow 10 up, would you send it to them?</p> <p>11 A. Not without checking with Charis Eagle.</p> <p>12 Q. Did you check with Charis Eagle about 2021 --</p> <p>13 A. I let her know that I was sending this, yes.</p> <p>14 Q. Okay.</p> <p>15 MS. PERALES: So counsel, based on the 16 fact that Mr. Vera shared this document outside the 17 bounds of the Harris County Republican Party, we would 18 respectfully request that counsel produce the 2022 poll 19 worker training prepared by Mr. Vera?</p> <p>20 A. Poll watcher.</p> <p>21 MS. PERALES: Poll watcher training. Poll watcher training prepared by Mr. Vera.</p> <p>22 MR. GORE: Okay. We have asserted our First Amendment Privilege with respect to that document. It's contained on the log as well, I</p>
127	<p>1 believe. Mr. Vera has made clear there were changes to 2 that document, from the 2020 version. So those -- that 3 new version remains subject to privilege. It hasn't 4 been shared outside the Harris County Republican Party.</p> <p>5 Mr. Vera has testified that he has not 6 done so, would not do so without permission of the 7 Chair of the Harris County Republican Party. So we're 8 -- we're maintaining that it is still subject to 9 privilege, including because it contains new content 10 that hasn't been disclosed outside of the Harris County 11 Republican Party.</p> <p>12 MS. PERALES: Now the fact that it 13 hasn't been disclosed doesn't necessarily mean that 14 it's privileged are you -- so -- and -- and thus we 15 would assert that the privilege claim has been waived 16 with respect to Mr. Vera's poll watcher training from 17 2022 because he has shared externally his 2020 poll 18 watcher training.</p> <p>19 Is it your contention that the 20 differences between the two documents is subject to the 21 First Amendment Privilege?</p> <p>22 MR. GORE: It's our contention that 23 the 2020 document was also subject to First Amendment 24 Privilege, and that privilege was waived only with 25 respect to the 2020 document. The 2022 document is a</p> <p>1 me about SB 1 and the language about harvesting. 2 Q. Okay. Did you turn over your computer to 3 anybody to have them search your emails as part of your 4 involvement in this case?</p> <p>5 A. I did not.</p> <p>6 Q. Okay. If your Microsoft Outlook did in fact 7 save emails that are older than a year old or two years 8 old, would your emails going back and forth with the 9 legislator be there and -- and your providing feedback 10 and having your communications?</p> <p>11 A. I don't know, there -- they should be.</p> <p>12 Q. Okay. Mr. Vera, the court reporter has 13 handed you what has been marked Deposition Exhibit No. 14 5.</p> <p>15 Is this the email that you were 16 referencing a moment ago in which you had an exchange 17 with Representative Jetton regarding in person activity 18 with a voter and vote harvesting?</p> <p>19 (Exhibit No. 5 marked.)</p> <p>20 A. Yes, it does. This looks like the document 21 that I mentioned in that previous testimony.</p> <p>22 Q. (BY MS. PERALES:) And what is the date of 23 your email to Representative Jetton?</p> <p>24 A. August 20th, 2021.</p> <p>25 Q. So this is some time before the passage of SB</p>

<p>1 1?</p> <p>2 A. Some time during -- it looks like the second</p> <p>3 special session.</p> <p>4 Q. Okay. Do you know who Tori McFarland is?</p> <p>5 A. I think at that time Tori McFarland was on</p> <p>6 the staff of Jacey Jetton.</p> <p>7 Q. And Coleen, I believe you mentioned earlier</p> <p>8 in the deposition is your wife?</p> <p>9 A. Correct, uh-huh.</p> <p>10 Q. Okay. And so in this -- in this email</p> <p>11 subpoena is it -- is it fair to say that you're</p> <p>12 alerting Representative Jetton to something that you've</p> <p>13 characterized as an unintended consequence in the</p> <p>14 version of SB 1 that was going to be heard in committee</p> <p>15 the following day; is that right?</p> <p>16 A. Yes, ma'am?</p> <p>17 Q. And then Representative Jetton responds</p> <p>18 "thank you for sharing and good catch, we will work</p> <p>19 with chairman Murrell on an amendment", closed quote?</p> <p>20 A. Uh-huh.</p> <p>21 Q. Okay. Now, I know earlier you had suggested</p> <p>22 that maybe this exchange was -- as part of</p> <p>23 representative Jetton asking for your feedback; is that</p> <p>24 right?</p> <p>25 A. Yes.</p>	<p>130</p> <p>1 Harris County Republican Party talk to legislators or</p> <p>2 legislative staff about issues or provisions that ended</p> <p>3 up in SB 1?</p> <p>4 A. It's certainly possible. I don't know -- I</p> <p>5 can't name people who did nor can I say they didn't.</p> <p>6 The Ballot Security Committee -- let me back up.</p> <p>7 During the Harris County Republican</p> <p>8 Party Executive Committee Meeting at the beginning of</p> <p>9 each legislative session, the Executive Committee</p> <p>10 passes a resolution that gives guidance to Ballot</p> <p>11 Security Committee on which changes in general to the</p> <p>12 election code to support and which changes to oppose as</p> <p>13 we interact with the state legislators.</p> <p>14 So we all receive those same marching</p> <p>15 orders, and so I'm up there a lot, but others can be up</p> <p>16 there as well as long as they stay in line with the</p> <p>17 Executive Committee directed at us, we're all right.</p> <p>18 Q. Okay. And do you know if -- so you say --</p> <p>19 let me ask you this. Did -- did Chair Siegel have</p> <p>20 interactions with members of the legislature or staff</p> <p>21 on some of these issues or provisions that end up in SB</p> <p>22 1?</p> <p>23 A. I am not aware. I know that Chair Siegel and</p> <p>24 Senator Bettencourt communicate regularly, okay? But I</p> <p>25 cannot tell you whether or not they discussed Senate</p>
<p>131</p> <p>1 Q. Okay. Do you -- where is the email below</p> <p>2 that, where he asks for your feedback?</p> <p>3 A. Well, there's no -- I don't think's an email</p> <p>4 below that, I think it was a phone call from Ms. Tori</p> <p>5 asking me -- saying State Rep Jetton would like you to</p> <p>6 comment on that aspect SB 1.</p> <p>7 Q. And the aspect being that vote harvesting was</p> <p>8 defined as an in person interaction?</p> <p>9 A. Yes.</p> <p>10 Q. And then you provided your feedback in this</p> <p>11 email; is that right?</p> <p>12 A. That's correct.</p> <p>13 Q. And then Representative Jetton responds to</p> <p>14 you?</p> <p>15 A. Uh-huh.</p> <p>16 Q. And then, it sort of cut off at the top, but</p> <p>17 it looks like you may have taken that exchange and then</p> <p>18 forwarded it to Chair Siegel and some others?</p> <p>19 A. It looks like that.</p> <p>20 Q. Okay.</p> <p>21 A. Just keeping her posted.</p> <p>22 Q. Okay. All right.</p> <p>23 A. Yeah, looks like those are all HCRP employees</p> <p>24 or officers.</p> <p>25 Q. I wanted to ask, did anybody besides you with</p>	<p>133</p> <p>1 Bill 1.</p> <p>2 The court reporter is not catching</p> <p>3 that. Ask them to speak louder, and more slowly.</p> <p>4 (Discussions in hallway, laughter.)</p> <p>5 Q. (BY MS. PERALES:) The court reporter has</p> <p>6 handed you what has been marked Deposition Exhibit No.</p> <p>7 6. Do you recognize this as an email from May 19th,</p> <p>8 2021, from you?</p> <p>9 (Exhibit No. 6 marked.)</p> <p>10 A. Uh-huh.</p> <p>11 Q. (BY MS. PERALES) To --</p> <p>12 A. Senate or Bryan Hughes.</p> <p>13 Q. Senator Hughes and it looks like some more</p> <p>14 senators --</p> <p>15 A. Don Buckingham, Paul Bettencourt, Louis Culp,</p> <p>16 these are members of the Senate Committee on State</p> <p>17 Affairs that hears election bills.</p> <p>18 Q. And then you CC some staffers, would that be</p> <p>19 right, as well as some folks with the Harris County</p> <p>20 Republican Party?</p> <p>21 A. That's correct.</p> <p>22 Q. Okay. And I see Sonya Aston is there?</p> <p>23 A. Yes.</p> <p>24 Q. And she was staffing with?</p> <p>25 A. Senator Bettencourt.</p>

<p>1 Q. And then can you sort of generally help me 2 understand what is it that you are sending to these 3 legislators and staff?</p> <p>4 A. On this date, May 19th, we're coming to the 5 end of the regular session Senator Bettencourt's bill, 6 Senate Bill 1589, had passed the Senate earlier, but 7 had not been heard in the Committee in the House at 8 all, so this note asked him to consider adding that 9 portion of SB 1589 to the Article 4 Provision of Senate 10 Bill 7, which was still in process.</p> <p>11 Q. Okay. And were these Election Marshals under 12 the Bill themselves law enforcement officers?</p> <p>13 A. Yes.</p> <p>14 Q. And did 1589 position them inside the polling 15 place?</p> <p>16 A. No.</p> <p>17 Q. And where would it have positioned them?</p> <p>18 A. It simply made them available to be called, 19 to respond to reports of criminal election activity.</p> <p>20 Q. How would that be different than just calling 21 the regular police?</p> <p>22 A. These people will actually respond.</p> <p>23 Q. That's what happens when you ask an open 24 ended question in a deposition.</p> <p>25 A. Uh-huh.</p>	<p>134</p> <p>1 Q. (BY MS. PERALES) Okay. Identify No. 8 for 2 me. 3 (Exhibit No. 8 marked.) 4 A. Exhibit No. 8 appears to be automated reply 5 From office of Senator Donna Campbell to the Chair of 6 the Harris County Republican Party. 7 Q. And can you identify 9 for me? 8 (Exhibit No. 9 marked.) 9 A. Exhibit No. 9 appears to be automated reply 10 office of Senator Bettencourt to the Chair of the 11 Harris County Republican Party. 12 Q. (BY MS. PERALES) And is the date on all three 13 exhibits August 10th of 2021? 14 A. It is. 15 Q. And they're all at about 4:30 in the morning, 16 yes? 17 A. Yeah, between 4:30 and 4:45, yup. 18 Q. Okay. Do you know what email these exhibits 19 were responding to? 20 A. I have no idea. 21 Q. Okay. Does the date August 10th, 2021 in 22 anyway refresh your recollection about whether this 23 might have been related to communications on SB 1? 24 A. It does not. I -- that was in the end of 25 second special session, but no, I can't tell.</p>
<p>1 Q. Okay. Thank you one more question about 2 Exhibit No. 6, sorry? 3 (Exhibit No. 6 marked.) 4 A. Uh-huh. 5 Q. (BY MS. PERALES) You say here, quote, "please 6 see the attached record of our invited testimony to the 7 senate committee on state affairs" closed quote, do you 8 see that line there? 9 A. Yes. 10 Q. And would that be an example of a time when 11 you did provide something in writing to the Senate? 12 A. No, I was just attaching my notes. The notes 13 I spoke from when I testified in support of SB 1, 1589. 14 Q. Do you remember if those note are typed or 15 handwritten? 16 A. They're typed, I can't read my handwritten 17 notes. 18 (Laughter.) 19 Q. (BY MS. PERALES) I have three emails and I'm 20 going to mark each of them. Okay. Can you identify I 21 believe it's No. 7 for me? 22 (Exhibit No. 7 marked.) 23 A. Exhibit No. 7 looks like an automated reply 24 from the office of Senator Bob Hall to the Chair of 25 Harris County Republican Party.</p>	<p>135</p> <p>1 Q. Okay. Thank you. Did you have any 2 communications with Senator Hall that related in any 3 way to SB 1? 4 A. Oh, goodness. I don't remember. 5 Q. Okay. Same question with Senator Donna 6 Campbell, did you have any communications with Donna 7 Campbell about SB 1? 8 A. I don't remember. The only reason I -- I 9 hedged on Senator Hall he was very good when I did 10 public testimony before the senate committee on state 11 affairs of have asking me many follow up questions. So 12 I don't know if I may have sent him an email or not. 13 Q. SB 1 was heard in Senate State Affairs on 14 August 9th, 2021? 15 A. Okay. 16 Q. And since these auto replies are coming from 17 the wee hours of August 10th? 18 A. Uh-huh. 19 Q. Is -- is it possible that you remember 20 sending some kind of follow up communication to various 21 senators following your testimony? 22 A. I don't remember doing that. And if I'd had 23 it would have come from my email address, not the party 24 chairs. 25 Q. Okay. Okay. Is there any part of SB 1 as it</p>

<p>1 was passed by the legislature that you believe 2 responded to your concern about the vote harvesting 3 being defined as an in person interaction? 4 A. I don't remember for certain because it's a 5 long bill, but I do know that they did not affect the 6 sections of the code already established for dealing 7 with the concerns I had of people stealing others 8 identities to vote by mail, they did -- they left that 9 alone.</p> <p>10 Q. Is there any part of SB 1 as it was passed 11 that you think tracks very closely with communications 12 that you made with legislators?</p> <p>13 A. Oh, goodness --</p> <p>14 Q. Either something that you initiated or 15 something that was the product of the back and forth 16 where you're providing feedback?</p> <p>17 A. Well, I've already told you that I was -- 18 after the previous election I was very concerned about 19 the way poll watchers were obstructed. So some of the 20 poll watcher improvements certainly tracked with my 21 concerns, okay? I told you that I had -- I had after 22 the 2020 November election, I had gone public with many 23 serious concerns about drive-thru voting and so that 24 was reflected. So I think, you know, at least poll 25 watcher -- poll watchers were better protected, the</p>	<p>138</p> <p>1 that's there because so and so really felt? 2 A. No, no. 3 Q. Okay. Okay. With respect to any or the 4 other provisions of SB 1, do you have any knowledge 5 about what the source or the origin was, whether it was 6 a particular colleague in the Republican Party maybe 7 from another County or a particular legislator who was 8 the reason that that provision is there in the Bill? 9 A. No, I don't. Not directly, I -- I do know 10 that -- I'm sorry, I don't know, I understand that 11 prior to that session beginning there were a number of 12 election attorneys that were writing legislative 13 language and submitting it.</p> <p>14 Q. Uh-huh.</p> <p>15 A. But I can't track any one item to any one 16 attorney.</p> <p>17 Q. Can you tell me the names of those attorneys? 18 A. I can't tell you the names of all -- I know 19 Eric Opiela was one of them, and he's the only one I 20 can remember.</p> <p>21 Q. Okay.</p> <p>22 A. Because he's kind of up front about it.</p> <p>23 (Laughter).</p> <p>24 Q. (BY MS. PERALES) Did you have -- you know, we 25 talked about Senator Bettencourt, he's your local</p>
<p>1 issue of voting as it was with the aberration in 2 drive-thru was addressed. And they did not mess with 3 the clear language of mail ballot harvesting that was 4 not involving personal interaction. So those three 5 things for sure.</p> <p>6 Q. Do you recall having conversations with 7 legislators around making it a -- an offense to have a 8 paid person assist a voter in voting by mail?</p> <p>9 A. I didn't have any such discussion with 10 legislators.</p> <p>11 Q. Do you have an understanding of what need was 12 meant to be addressed by that?</p> <p>13 A. I have an understanding from what I've been 14 told, having -- sitting around the committee hearing 15 rooms talking to others, but I did not initiate that.</p> <p>16 Q. Okay. And you don't have a first hand 17 acknowledgment of the reasons for that?</p> <p>18 A. I do not, nope.</p> <p>19 Q. Do you have any first hand knowledge about 20 the reasons for prohibiting in person interaction with 21 a voter in the presence of the mail ballot with -- 22 while advocating for a particular candidate or outcome?</p> <p>23 A. No, I was not, I was not privy to those 24 discussions or this original complaints.</p> <p>25 Q. And -- and no staff or legislator said, oh</p>	<p>139</p> <p>1 senator. We haven't talked that much about Brian 2 Hughes who was this author/main sponsor. 3 Did you ever have any exchange of 4 communication with either Brian Hughes or his staff 5 from let's say the beginning of the regular session 6 through the end of the second special?</p> <p>7 A. No, I did not. But let me just double check. 8 No, the only communication was in committee with -- 9 either it was with the Senator or his staff.</p> <p>10 Q. Do you have any interaction with republican 11 candidates running for office and advising them about 12 what's in SB 1?</p> <p>13 A. No, I don't get involved with candidates much 14 at all. I answer questions, but I don't interact with 15 them, I don't take part in their campaigns.</p> <p>16 Q. And do you recall, for example in 2022, since 17 SB 1 is a fairly new piece of legislation, do you 18 recall answering any questioning of any candidate or 19 their campaign staffers about the meaning of SB 1?</p> <p>20 A. The only questions I remember answering from 21 candidates at that time was about whether the candidate 22 could still appoint a poll watcher, and secondly are 23 there any new requirements of poll watchers in which I 24 have to -- had to reply about the SOS training now 25 being mandatory. Because of course the candidate can</p>

<p>1 appoint poll watchers, but Harris County -- our Party 2 would only appoint poll watchers that I trained, so. 3 Q. So aside from poll watchers can you think of 4 any other -- 5 A. I can't think of anything else, hang on. No. 6 However, because of SB 1 I was asked 7 to take a look at the mail ballot application mailers 8 that Harris County Republican Party was going to send 9 out to the republicans over 65 and I had to completely 10 rewrite them. 11 Q. I was just going to ask about outreach by the 12 Party to potential mail voters? 13 A. Uh-huh. 14 Q. So did you work on revising the outreach 15 materials for the Harris County Republican Party -- 16 A. I did. 17 Q. To the voters over 65? 18 A. Correct. I had to redo it completely. 19 Q. All right. And so you made those changes to 20 the, what are they like, mailers? 21 A. Yes, they were -- they were mailers into the 22 layout stage, not quite what was called the mechanical 23 stage, but I had to change those. 24 Q. Okay. Around the time of the 2022 primary 25 election?</p>	<p>142 1 vote by mail, they don't remember which -- which number 2 they used when they first registered, put them both. 3 Q. Were there also voters who hadn't put a 4 number when they registered? 5 A. It's possible. I -- I don't know that -- I 6 don't know that, it could be possible. I don't know 7 that. 8 Q. If a voter had lived at the same address for 9 example since pre-HAVA, Help America Vote Act? 10 A. Uh-huh. 11 Q. It's possible that their registration, which 12 would have occurred pre-200 wasn't accompanied by an ID 13 number at all; isn't that right? 14 A. It's possible. 15 Q. And they would be over 65, and just have 16 stayed put the whole time? 17 A. Uh-huh. 18 Q. Do you recall hearing from paid staff of the 19 Party that there were voters in that situation that 20 they hadn't provide any number -- had not provided any 21 number at all with their original registration because 22 it had been a long time ago? 23 A. I had not heard that specifically. 24 Q. Okay. But you did hear about voters putting 25 one number and Harris County having a different number,</p>
<p>1 A. Uh-huh. 2 Q. Were you offering any guidance or advice to 3 deal with any requests from voters coming in about how 4 to apply for their mail ballots? 5 A. I was giving -- I was the Party staff, the -- 6 the paid staff advice on how to answer questions about 7 the new mail ballot requirements. 8 Q. Do you recall the nature of the questions 9 that you were getting in the 2022 primary period from 10 voters about either applying for ballot by mail or 11 returning that mail ballot related to SB 1 -- 12 A. The questions weren't coming to me, they were 13 coming to staff, but they were calling me to get the 14 information; but it was just the general stuff, now 15 which number do I have to put? Can I just put my whole 16 driver's license number, et cetera? Basic fundamental 17 questions. 18 Q. What would your advice -- what was your 19 advice during the primary period about which number the 20 voters should put? 21 A. Well, I had the staff tell the voters, put 22 both numbers, okay? Because the issue was the number 23 the voter put on the ABBM or the carrier envelope had 24 to match a number in the voters registration record. 25 And many of these -- the voters were not old enough to</p>	<p>143 1 and so the -- the Harris County couldn't match it? 2 A. I heard that from the people on our signature 3 verification committee. 4 Q. Did you hear that from any of the Party staff 5 that were getting questions from voters? 6 A. Yes, yes. 7 MS. PERALES: Can we have a five 8 minute break? 9 THE REPORTER: Okay. Going off the 10 record at 2:49 p.m. 11 (Off the record.) 12 THE REPORTER: Back on the record at 13 3:01 p.m. 14 Q. (BY MS. PERALES:) Mr. Vera, are there any 15 topics or is there any information that you know about 16 relevant to SB 1 that you discussed with Mr. Gore that 17 you haven't talked about today in the deposition, 18 either because I didn't ask you or for any other 19 reason? 20 A. I can't think of anything, give me a second. 21 Nope, nope. 22 Q. Okay. 23 MS. PERALES: So I'm going to pass the 24 witness, but I'm not going to conclude the deposition 25 or conclude my questioning of the witness. We're going</p>

<p>1 to leave the deposition open at the end in order to 2 allow for us to be able to resolve some of the issues 3 that have come up with respect to invocation of either 4 First Amendment Privilege or Legislative Privilege that 5 are not resolved, so with that caveat I'm going to pass 6 the witness.</p> <p>7 MR. GORE: If I can just say on the 8 record, we appreciate where you're coming from. We 9 obviously object to holding the deposition open. We 10 think all the privilege assertions have been 11 appropriate. We understand that you are reserving the 12 right to keep the deposition only -- open only with 13 respect to those privilege issues, is that -- is that 14 correct?</p> <p>15 MS. PERALES: Yes. That's right, and 16 when you say those privilege issues then we can go back 17 and forth all day. When you say those privilege issues 18 it's specifically the -- the places today where the 19 witness has declined to testify because of either 20 Legislative Privilege or because of First Amendment 21 Privilege.</p> <p>22 MR. GORE: Thank you for 23 clarification. We stand on our objection, but we 24 appreciate the clarification.</p> <p>25 MS. PERALES: Okay. Would you like to</p>	<p>146</p> <p>1 Q. And what are the names of the two other 2 members? 3 A. Dan Alan, and Steve Carlton -- or Carlin, 4 C-A-R-L-I-N. Steve Carlin.</p> <p>5 Q. And what are Mr. Alan and Mr. Carlin's 6 duties -- actually, sorry, let me ask you a question 7 before that. What are Mr. Alan and Mr. Carlin's 8 titles? 9 A. They're just members, but they're also 10 precinct chairs.</p> <p>11 Q. And what are their duties with the Ballot 12 Security Committee? 13 A. We recently organized into work group, and 14 Mr. Alan has responsibility for digital poll watching 15 and Mr. Carlin is taking charge of mail ballot 16 observation or BBM observation.</p> <p>17 Q. And were Mr. Alan and Mr. Carlin on the 18 Ballot Security Committee during the 2020 election 19 cycle? 20 A. They were not. 21 Q. Who was on the committee during that cycle? 22 A. I don't have all the names memorized, there 23 13 members -- voting members, and about eight or nine 24 nonvoting members, and they change every two years. So 25 neither one of them were on at the 2020 cycle, other</p>
<p>1 switch seats? 2 MS. HOLMES: Sure.</p> <p>3 EXAMINATION</p> <p>4 BY MS. HOLMES:</p> <p>5 Q. Good afternoon, Mr. Vera, we met earlier, but 6 my name's Jennifer Holmes, I represent the Haul 7 plaintiffs. And I have just a handful of kind of 8 clarifying questions for you. It shouldn't take too 9 long. You testified that you're the chair of the 10 Ballot Security Committee for the Harris County 11 Republican Party, correct? 12 A. Correct. 13 Q. And who else is on the Ballot Security 14 Committee? 15 A. The Ballot Security Committee is made up of 16 members that are appointed by the Senate District 17 Chairs of each Senate District in Harris County. And 18 based on the bylaws of the Party, senate districts can 19 appoint one or two members to ballot security, 20 depending upon the size of the district. There are 21 three appointees by the Party Chair and I am one and 22 she's allowed to appointment two others. 23 Q. And so that was Cindy Siegel who appointed 24 you and two others to the committee? 25 A. Yes, for this current term, uh-huh.</p>	<p>147</p> <p>1 people appointed by their Senate district chairs of 2 course in those seat. 3 Q. And how about the 2022 primary, who was on 4 the committee? 5 A. Those people were on the committee. 6 Q. Sorry, these people meaning the 13? 7 A. Steve -- Steve Carlin and -- and Dan Alan 8 were on the committee along the 11 others. I don't 9 have all the names memorized. 10 Q. Did Mr. Alan, Mr. Carlin, or any of the other 11 current or former members of the Ballot Security 12 Committee join you in your conversations or emails to 13 legislators about the legislative bills that eventually 14 became SB 1? 15 A. I'm not aware that they did, and they are 16 done independently. They're allowed to do so as long 17 as they're following the guidelines of the Executive 18 Committee resolution, okay? So they could 19 independently communicate. 20 Former members of the committee have 21 traveled with me to Austin to testify on the days that 22 I go to testify. 23 Q. And can you tell me the names of the member 24 of the committee who testified during the 2021 25 legislative session on -- on SB 1 or any of the</p>

<p>1 predecessors --</p> <p>2 A. Yes. Ken Moore M-O-O-R-E was the most</p> <p>3 frequent person to accompany to me to testify.</p> <p>4 Q. Anyone else?</p> <p>5 A. Nope, it's a lonely road.</p> <p>6 Q. Did Mr. Moore submit written testimony?</p> <p>7 A. I don't believe he did, I believe I was only</p> <p>8 verbal testimony.</p> <p>9 Q. Do you know if he used written notes when he</p> <p>10 testified?</p> <p>11 A. Handwritten about half hour before he</p> <p>12 testified.</p> <p>13 Q. I'd like to ask you about the training you</p> <p>14 provide to poll watchers?</p> <p>15 A. Uh-huh.</p> <p>16 Q. We -- you testified earlier about the</p> <p>17 training materials and that include -- included a</p> <p>18 PowerPoint and a guidebook, correct?</p> <p>19 A. Uh-huh.</p> <p>20 Q. When you give the guidebook to the poll</p> <p>21 watchers do you instruct them to keep it confidential?</p> <p>22 A. I tell them to keep it with them at all times</p> <p>23 and that they should hang onto it for 22 months after</p> <p>24 the election.</p> <p>25 Q. Do you tell them to not share it with anyone</p>	<p>150</p> <p>1 A. Not this year.</p> <p>2 Q. And are you referring to the 2022 training?</p> <p>3 A. Uh-huh.</p> <p>4 Q. How about for the 2020 training?</p> <p>5 A. We didn't have a party chair to speak of in</p> <p>6 2020, so it was cursory review. The party chair at the</p> <p>7 time was Keith Nielsen and he did not review the</p> <p>8 presentation.</p> <p>9 Q. Can you explain what you mean that you did</p> <p>10 not have a Party Chair, but the Party Chair was Keith</p> <p>11 Nielsen?</p> <p>12 A. We did, there was -- that was the COVID year</p> <p>13 and it was kind of a mess. The state convention was</p> <p>14 delayed months, okay? And so everything was behind</p> <p>15 schedule, the organizing of the Party, so the chair --</p> <p>16 the County Party Chair who should have stepped down in</p> <p>17 May of 2020 was still in office in August of 2020, they</p> <p>18 hadn't elected a new chair yet. And when the new chair</p> <p>19 came in, I know the bills hadn't been paid for a while,</p> <p>20 and we just had a lot of catching up to do. COVID had</p> <p>21 a significant impact on that.</p> <p>22 Q. It was a chaotic time.</p> <p>23 A. It was. It was.</p> <p>24 Q. Okay. How about the guidebook poll watchers,</p> <p>25 does anyone review that to offer suggestions or edits?</p>
<p>1 else?</p> <p>2 A. I don't know if I tell them not to share, I</p> <p>3 just tell them to keep it in their possession.</p> <p>4 Q. Do poll watchers sign anything saying they</p> <p>5 will keep the guidebook confidential?</p> <p>6 A. They do not.</p> <p>7 Q. Concerning the poll watcher PowerPoint</p> <p>8 training that you create?</p> <p>9 A. Uh-huh.</p> <p>10 Q. Does anyone review that PowerPoint to offer</p> <p>11 suggestions or edits?</p> <p>12 A. The general council for the Party reviews it.</p> <p>13 Q. And is that the general council for Harris</p> <p>14 County Republican Party?</p> <p>15 A. Harris County Republican Party.</p> <p>16 Q. And what is that persons name?</p> <p>17 A. Ed Hubbard.</p> <p>18 Q. Does anyone else review the PowerPoint</p> <p>19 training?</p> <p>20 A. The power -- the County Chair does.</p> <p>21 Q. Anyone else?</p> <p>22 A. Nope.</p> <p>23 Q. And when the County Chair has reviewed your</p> <p>24 PowerPoint training, has she made any edits,</p> <p>25 corrections, or suggestions.</p>	<p>151</p> <p>1 A. Same two people, the Party Chair and the</p> <p>2 general council.</p> <p>3 Q. And have you received corrections, edits, or</p> <p>4 comments?</p> <p>5 A. No.</p> <p>6 Q. Is that true for both the 2022 guidebook?</p> <p>7 A. And the?</p> <p>8 Q. And the 2020 guidebook?</p> <p>9 A. That's correct.</p> <p>10 Q. Do you have Exhibit 3 before you or can you</p> <p>11 pull it out of that stack, please? Do I have it? And</p> <p>12 do you recall that Exhibit 3 is an email that you sent</p> <p>13 to Keith Ingram and Christina Adkins --</p> <p>14 A. Correct.</p> <p>15 Q. On September 2, 2021?</p> <p>16 A. Correct.</p> <p>17 Q. And it attached the 2020 poll watcher</p> <p>18 PowerPoint training?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. In the email at the bottom you write</p> <p>21 in the second paragraph, you're talking about the --</p> <p>22 the PowerPoint deck. You said there's -- I think it</p> <p>23 should say there's a version, but it says "there's</p> <p>24 aversion with the audio available, but it's hosted on</p> <p>25 the TrueTheVote website and requires checking in and</p>

<p>1 creating an account, free;" did I read that correctly?</p> <p>2 A. Correct.</p> <p>3 Q. Was the 2020 poll watcher PowerPoint training</p> <p>4 accessible on the TrueTheVote website?</p> <p>5 A. The 2021 was.</p> <p>6 Q. The 2021 --</p> <p>7 A. Uh-huh.</p> <p>8 Q. Okay. Oh, sorry. I misheard you, the 2020</p> <p>9 version was?</p> <p>10 A. Was.</p> <p>11 Q. Okay. And how would someone -- first, can</p> <p>12 you explain, what is true to vote?</p> <p>13 A. True the vote is a nonprofit nonpartisan</p> <p>14 organization started in 2010 to promote election</p> <p>15 integrity nationally.</p> <p>16 Q. Is it part of the Harris County Republican</p> <p>17 Party?</p> <p>18 A. It is not.</p> <p>19 Q. And during what time period was the poll</p> <p>20 watcher training available on the true to vote website?</p> <p>21 A. From approximately the first of August until</p> <p>22 the end of October.</p> <p>23 Q. Of 2020?</p> <p>24 A. Of 2020, yeah.</p> <p>25 Q. And if anyone wanted to go to the true to</p>	<p>154</p> <p>1 Q. Would that have to be in Harris County or</p> <p>2 anywhere within Texas?</p> <p>3 A. No, it was all within Harris County.</p> <p>4 Q. Is the 2022 poll watcher training available</p> <p>5 anywhere online?</p> <p>6 A. No, it's not available online. You have --</p> <p>7 now that we're out of COVID you have to take the course</p> <p>8 in person. We do have a video because we had poll</p> <p>9 watchers who took the class in May and now it's October</p> <p>10 and they'd like a refresher. The party had a private</p> <p>11 YouTube channel, password protected, that the poll</p> <p>12 watchers who had already completed the in person class</p> <p>13 could request to see again, and that access was managed</p> <p>14 by the paid party staff.</p> <p>15 Q. Okay. And in terms of the 2020 poll watcher</p> <p>16 training?</p> <p>17 A. Uh-huh.</p> <p>18 Q. The PowerPoint, did you ever share it outside</p> <p>19 of the Harris County Republican Party other than</p> <p>20 sending it to Keith Ingram, and Christina Adkins, and</p> <p>21 putting it on the TrueTheVote website?</p> <p>22 A. That was it.</p> <p>23 Q. So you've testified about your duties to</p> <p>24 recruit and train poll watchers?</p> <p>25 A. Uh-huh.</p>
<p>155</p> <p>1 vote website and see the -- the PowerPoint, what would</p> <p>2 they have to do?</p> <p>3 A. They'd have to sign in, create an account,</p> <p>4 okay? And be passed by the truth, the vote gate keeper</p> <p>5 who was kind of helping me get the training out there.</p> <p>6 Q. Were there any restrictions on who could sign</p> <p>7 in and create an account?</p> <p>8 A. They would have to -- yes, but it was --</p> <p>9 remember this was COVID, also, so I couldn't have in</p> <p>10 person training because groups of 50 or more were</p> <p>11 forbidden. And so they would submit their names,</p> <p>12 TrueTheVote would send names to me, I would vet their</p> <p>13 voting history, and give a thumbs up or thumbs down as</p> <p>14 far as access to the back to the class.</p> <p>15 Q. And what did you base the thumbs up or thumbs</p> <p>16 down on?</p> <p>17 A. On, primary voting history.</p> <p>18 Q. What about the primary voting history?</p> <p>19 A. Republican voting primary voting in at least</p> <p>20 three primary elections.</p> <p>21 Q. Any other requirements for someone to access</p> <p>22 the training?</p> <p>23 A. They had -- no, they had to be a registered</p> <p>24 voter three and have three successive republican</p> <p>25 primary votes, elections.</p>	<p>157</p> <p>1 Q. Is it also part of your responsibilities to</p> <p>2 assign poll watchers to particular polling locations?</p> <p>3 A. I don't make the assignments, the Party in</p> <p>4 the 2022 general election, the executive director of</p> <p>5 the Party made the assignments.</p> <p>6 Q. How about in the 2022 primary?</p> <p>7 A. Those were all made by the executive director</p> <p>8 of the Party.</p> <p>9 Q. And who is the executive director?</p> <p>10 A. Well, he was Casey Voeks, V-O-E-K-S he</p> <p>11 certainly resigned.</p> <p>12 Q. And how about the 2020 election cycle, who</p> <p>13 made the decision to assign poll watchers to various</p> <p>14 polling locations?</p> <p>15 A. In 2020 I made those decisions because there</p> <p>16 was no party staff.</p> <p>17 Q. And in 2020 when you were deciding the</p> <p>18 assignments, did you place a poll watcher in every</p> <p>19 polling location in the county?</p> <p>20 A. All right. The poll watchers first of all, I</p> <p>21 never place a poll watcher alone there's always two.</p> <p>22 Next is, I make sure we have poll watchers at the</p> <p>23 critical ballot handling areas of early voting ballot</p> <p>24 board, signature verification committee, and central</p> <p>25 count. Then the rest of the polling locations for poll</p>

	<p>1 watchers are selected based on history of data 2 discrepancies with the election judges. The judges 3 that need the most help get the poll watchers. 4 Q. And what kind of data discrepancies would you 5 consider -- 6 A. Data discrepancies number one would be more 7 ballots than votes. Precincts or polling places that 8 had more ballots turned in than voters who signed in. 9 Discrepancy number 2 would be provisional ballot 10 affidavits without ballots. And those are the two 11 major issues that we measure by. 12 Q. Did you -- in considering these -- these two 13 categories of data discrepancies? 14 A. Uh-huh. 15 Q. Did you review any information or data to 16 figure out where these discrepancies were happening? 17 A. We get -- we download the -- that data after 18 every election. And so we know at what polling 19 location the discrepancy happened and we know who the 20 election judge was at that polling location. And so 21 the next election we look to see where's that judge 22 been appointed and they get the poll watcher help. 23 Q. So the decision is made more based on where a 24 particular judge posted rather than the polling place 25 location that had the -- the data discrepancies?</p>
159	<p>1 A. That's generally to -- true. It's the 2 association of data discrepancies with an election 3 judge, and the poll watchers are sent to support that 4 election judge and to help them out. 5 Q. So during the 2020 general election, what 6 were your, I guess, priority polling locations based on 7 your review of data discrepancies? 8 A. I don't remember the exact locations because 9 the judges move, but I had 80 polling locations on 10 election day that receive poll watchers. I had 11 probably 10 during early voting that receive poll 12 watchers. 13 Q. Earlier today you mentioned Moody Gardens was 14 that -- 15 A. Yeah, I met -- 16 Q. -- okay. Let me finish my question though. 17 Earlier today you mentioned -- now you've corrected you 18 -- you were talking about Moody Park, was that a -- a 19 location, a polling location where you prioritize 20 sending poll watchers during the 2020 election? 21 A. Moody Park was not a priority for the 2020 22 election for poll watchers. 23 Q. Had it -- was it a priority for the 2022 24 primary election? 25 A. It was not.</p> <p>1 here, more people are voting here, we should send a 2 poll watcher here, is that part of the consideration? 3 A. It is not part of our consideration. That 4 should be part of the consideration for the county's 5 placement of polls based on voter density, but that's 6 not part of our consideration. 7 Q. If you give me one minute I may be done here? 8 A. Yes, ma'am. 9 Q. Okay. 10 MS. HOLMES: I am likewise going to 11 pass the witness, but I will reiterate what Ms. Perales 12 said on the record about holding the deposition open 13 for resolution of disputes over the invocation of 14 legislative purpose and First Amendment Privilege. 15 MR. GORE: Subject to that statement 16 I'll just reiterate our prior objection. 17 MR. BIRRING: We don't have any 18 questions today. We will reserve the questions for 19 trial if you're a witness there. 20 MS. PERALES: Shall we ask the people 21 on the Zoom call? 22 (Getting situated for Zoom 23 examination.) 24 MR. TAYLOR: Look a poll watcher. 25 (Laughter.)</p>

	162		164
<p>1 MS. PERALES: Does anybody have any 2 questions? Zoom people, speak now or forever hold your 3 piece or at least until -- unless we reopen? Anything 4 folk? No. Okay. I don't hear anything from Zoom.</p> <p>5 MR. GORE: MR. GORE: Okay. I have a 6 few questions for you Mr. Vera, thank you for your 7 patience today.</p> <p>8 THE WITNESS: Yes, sir.</p> <p>9 CROSS-EXAMINATION</p> <p>10 BY MR. GORE:</p> <p>11 Q. I want to pick up on where Ms. Holmes ended 12 and -- and where you deploy poll watchers. Do you 13 consider anything about voter demographics in where you 14 would send poll watchers or assign as priority 15 locations for poll watchers?</p> <p>16 A. We do not.</p> <p>17 Q. Mr. Vera, do you have to Exhibit 5 handy?</p> <p>18 A. I have it.</p> <p>19 Q. And Mr. Vera, you see that this is an email 20 chain that includes emails between you and 21 representative Jetton, and then a forward from you to 22 members of the Harris County Republican Party; is that 23 right?</p> <p>24 A. Correct.</p> <p>25 Q. So I want to focus on this top email here</p>		<p>1 likely to engage them?</p> <p>2 A. I'd be less likely.</p> <p>3 Q. Would you be less likely to be full and frank 4 in those conversations if you believed they might 5 become public?</p> <p>6 A. I'd be less likely.</p> <p>7 MS. PERALES: I just want to object to 8 the leading nature of the questions?</p> <p>9 MR. GORE: Well, I -- I'm not sure how 10 they're leading, I think they're yes or no questions, 11 aren't they?</p> <p>12 MS. PERALES: Yes, but they're also 13 leading. I don't mean to stop your roll, so if you 14 have more.</p> <p>15 MR. GORE: Okay. Thank you.</p> <p>16 Q. (BY MR. GORE) Okay. I just have one more 17 question. So Mr. Vera, if you believe that these 18 communications might become public, would that chill 19 your expression in these emails?</p> <p>20 A. It would.</p> <p>21 Q. And if these emails became public in this 22 litigation or otherwise turned over to plaintiffs, 23 would you be less likely to engage in that full and 24 frank communication in the future?</p> <p>25 A. In that format, yes.</p>	
	163		165
<p>1 where there's box that says "redacted for First 2 Amendment Privilege," and that's an email you sent 3 internally to the Harris County Republican Party; is 4 that right?</p> <p>5 A. Correct.</p> <p>6 Q. So is it fair to say that you sometimes send 7 internal emails regarding your legislative advocacy -- 8 activities?</p> <p>9 A. Correct.</p> <p>10 Q. Do you also send emails regarding -- internal 11 email regarding poll watcher activities?</p> <p>12 A. Correct.</p> <p>13 Q. Do you also send internal emails regarding 14 election integrity issues?</p> <p>15 A. Correct.</p> <p>16 Q. When you send those emails, do you expect 17 them to remain confidential within the Harris County 18 Republican Party?</p> <p>19 A. I do.</p> <p>20 Q. Does that expectation of confidentiality 21 allow you to be full and frank in those internal 22 communications when you have them?</p> <p>23 A. It does.</p> <p>24 Q. If -- if you believe that those 25 communications might become public, would you be less</p>		<p>1 Q. And if you were subject to questioning about 2 internal conversations you had about the Harris County 3 Republican Party, would that also make you less likely 4 to engage in those kinds of conversations in the 5 future?</p> <p>6 A. It would.</p> <p>7 Q. Would that be true for communications that 8 are not reduced to email or writing?</p> <p>9 A. Yes.</p> <p>10 Q. Thank you, Mr. Vera.</p> <p>11 MR. GORE: I have no further 12 questions.</p> <p>13 MS. PERALES: Before we go off the 14 record I have just one more thing, which is to ask 15 counsel for Mr. Vera or for the defendant interveners 16 if you plan to conduct a search for responsive 17 documents of Mr. Vera's email and his computer, because 18 I believe he's testified that he does have relevant and 19 responsive documents, but hasn't searched and hasn't 20 given over his computer to be searched. And I'd just 21 like to know if you're -- if you -- if counsel would 22 agree to do that prior to the deadline, or how we 23 should proceed?</p> <p>24 MR. GORE: Well, I -- I can speak only 25 for the intervenor defendants and Harris County</p>	

<p>1 Republican party, and I'll Mr. Taylor speak for 2 Mr. Vera. I think we've been really up front 3 throughout our in discovery correspondence that we only 4 have custody and control over Harris County Republican 5 Party email addresses and documents, those were the 6 email addresses and documents we searched to respond to 7 the discovery requests that were propounded on the 8 Harris County Republican Party, and we have made 9 productions and created a privilege log off of that 10 production and that collection.</p> <p>11 We didn't receive any objection to 12 that scope of collection or production. So that's -- 13 that's how we've proceeded in the case, and we think 14 that that's a fulsome and -- and complete collection 15 and production consistent with the Harris County 16 Republican Party's obligations under the rules.</p> <p>17 MS. PERALES: I believe that Mr. Vera 18 was designated as a custodian though for records for 19 Harris County in this case, and so after having 20 designated him as a custodian, it -- it would be 21 plaintiff's position that it is incumbent then on GOP 22 Defendant Interveners to search what he has, and it 23 appears that it hasn't extended to what he has. 24 It's not even clear Mr. Vera has a 25 Harris County GOP email address since his -- most of</p>	<p>1 individual capacity to produce any documents. So I 2 have not searched documents that Mr. Vera might have 3 access to individually. 4 Obviously, if there's a subpoena and 5 it's appropriate and, you know, we'll -- we'll comply 6 with our obligations, but you're catching me flat 7 footed because this is the -- the first I've heard 8 about it. 9 MS. PERALES: Okay. Thank you. All 10 right. We're going to hold the deposition open, but I 11 believe the questioning for today and the conversation 12 for today has concluded. 13 THE REPORTER: I just need to get on 14 the record, if there's any further stipulations you 15 want to put on the record, which I believe we passed 16 that, maybe, and if there's any copies anybody would 17 like to order? 18 MS. PERALES: I need to order, and 19 I'll talk with you off the record about the need for 20 expedite and transcript. 21 THE REPORTER: Okay. 22 MS. HOLMES: I'd also like a rough. 23 THE REPORTER: Okay. With that we're 24 going off the record at 3:37 p.m. 25 (Proceedings concluded.)</p>
<p>1 his emails were coming from his business address that 2 -- that we have today. So if we have to kind of leave 3 the dispute where it is, then we'll -- we'll follow up 4 more on that, but I just wanted to know if -- if there 5 was anything more to our positions to -- to present 6 today.</p> <p>7 MR. GORE: I'll just put one more 8 thing on the record, we certainly did identify Mr. Vera 9 as a document custodian. In the same correspondence we 10 said we would look -- search official files of the 11 Committee and the Official committee email addresses. 12 We do have within the files at least some documents 13 related to the Ballot Security Committee and others, so 14 we did search through those, but we've never 15 represented that we would search through Mr. Vera's 16 personal email, and that's outside of the custody and 17 control of the committee. I just put that on there to 18 complete the record and I think probably wanted to 19 engage on this separately unless Mr. Taylor has 20 something he'd like to add.</p> <p>21 MR. TAYLOR: I mean, like I've said 22 before I -- I don't represent a party, I just represent 23 a non-party witness. Correct me if I'm wrong, but I 24 was not aware and don't believe currently that there's 25 any subpoena that's been issued on Mr. Vera in his</p>	<p>167 169</p> <p>1 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS 2 SAN ANTONIO DIVISION 3 LA UNION DEL PUEBLO ENTERO,) et al.,) 4) Plaintiffs,) Civil Action 5) No. SA-21-CV-00844-XR vs.) 6) GREGORY W. ABBOTT, et al.,) 7) Defendants.) 8) 9 REPORTER'S CERTIFICATE DEPOSITION OF ALAN VERA 10 FEBRUARY 27, 2023 11 I, Nilda Codina, Notary in and for the State 12 of Texas, hereby certify to the following: 13 That the witness, ALAN VERA, was duly sworn 14 by the officer and that the transcript of the oral 15 deposition is a true record of the testimony given by 16 the witness; 17 I further certify that pursuant to FRCP Rule 18 30(f)(1) that the signature of the deponent: 19 _____ was requested by the deponent or a 20 party before the completion of the deposition and 21 returned within 30 days from date of receipt of the 22 transcript. If returned, the attached Changes and 23 Signature Page contains any changes and the reasons 24 therefor; 25 _____X____ was not requested by the deponent or a</p>

170

1 party before the completion of the deposition.
2 I further certify that I am neither attorney
3 nor counsel for, related to, nor employed by any of the
4 parties to the action in which this testimony was
5 taken.

6 Further, I am not a relative or employee of
7 any attorney of record in this cause, nor do I have a
8 financial interest in the action.

9 Subscribed and sworn to on this the 8th day
10 of March, 2023.

11 _____

12 NILDA CODINA
13 Notary Public in and
For the State of Texas
My Commission No. 12878135-3
Expires: 10/24/2023

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